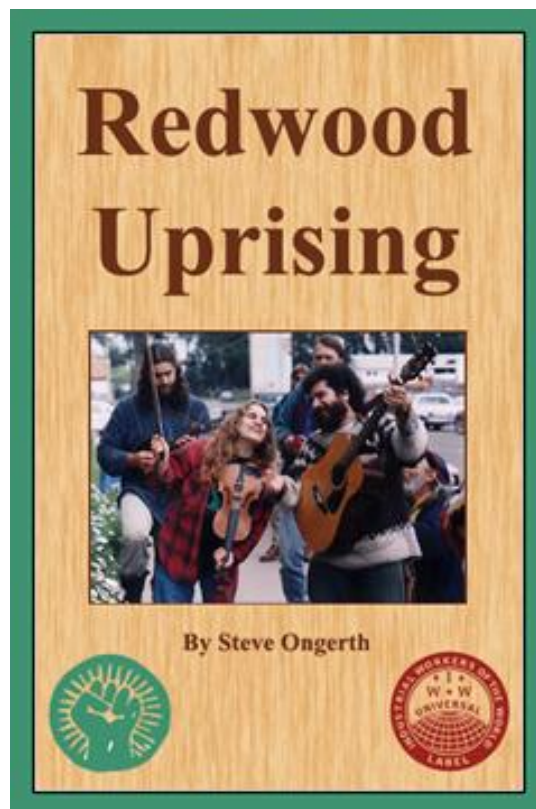


Redwood Uprising

From One Big Union to Earth First! and the Bombing of Judi
Bari

Steve Ongerth



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Introduction

The arc of history is long, but it bends towards justice.

—Martin Luther King Jr.

I know, I know. I need to write a book about all this. Fighting to save the redwoods, building alliances with the loggers, getting car bombed and finding out what we're up against not just the timber industry but also the FBI. Then coming back home and ending up back on the front lines again. I fully intend to write about it eventually, but it's hard to write about something when you're still in the middle of it."

—Judi Bari, introduction to *Timber Wars*, 1994

"All this," is a very complex and intriguing story (not to mention a call to action), and while most people have never heard it, a great many are at least partially aware of its defining moment.

On the morning of May 24, 1990, two activists, Judi Bari and her friend and comrade Darryl Cherney, set out from Oakland, California, while on a tour to organize support for a campaign they had organized called Redwood Summer. They were part of the radical environmental movement known as Earth First!, which had a reputation for militant tactics, including the sabotaging of logging and earth moving machinery as well as spiking trees—the act of driving large nails into standing trees in order to deter logging operations. The previous year in Arizona, five environmentalists, including Peg Millett and Earth First! cofounder Dave Foreman, had been arrested and charged by the FBI for a conspiracy to sabotage power lines in protest against nuclear power. Some welcomed Earth First!'s uncompromising reputation. Others denounced them as reckless, or even as terrorists.

According to the mainstream media, Earth First!'s radical agenda earned them the animosity of the timber workers whose jobs the environmentalists supposedly threatened. They were described as "outside agitators" (among many other things) who had "polarized" the timber dependent communities of northwestern California's redwood region—historically known as the "Redwood Empire", but more recently as the "North Coast"—with their militant and uncompromising "environmental extremism." Their alleged hard-line anti-logging stances were seen as too extreme even by most environmentalists, and they supposedly stood upon the radical fringes of the ecology movement. Redwood Summer was reportedly planned as a summer-long campaign

of direct actions by these “fringe” environmentalists to thwart the harvesting of old growth redwood timber in northwestern California, specifically Humboldt, Mendocino, and Sonoma Counties.

On May 24, however, Bari’s and Cherney’s planned destination was Santa Cruz County, where—just one month previously—power lines had supposedly been sabotaged by unknown perpetrators calling themselves the “Earth Night Action Group”. Just before 11:55 AM a bomb in Bari’s car exploded, nearly killing her and injuring Cherney. Within minutes the FBI and Oakland Police arrived on the scene and arrested both of them as they were being transported to Highland Hospital. The authorities called them dangerous terrorists and accused the pair of knowingly transporting the bomb for use in some undetermined act of environmental sabotage when it had accidentally detonated. The media spun the event as the arrest of two potentially violent environmental extremists.

* * * * *

In truth, however, Bari and Cherney were innocent. Earth First! was radical and militant, certainly, but they were also steadfastly nonviolent. Redwood Summer, far from being a campaign of terror, was modeled after Mississippi Freedom Summer and its original name was Mississippi Summer of the California Redwoods. The organizers of the latter had already renounced the tactic of tree spiking and had adopted a strict nonviolence code, based on a similar one adopted by the SNCC in the former. They had routinely been the *victims* of violence but had consistently answered that with *nonviolence*. Further, Redwood Summer was *not* anti-logging or even anti-worker. It was anti-*corporate* logging, and it sought—among other things—to draw attention to the *plight* of timber workers who were, according to Judi Bari, as much the victims of the clearcutting and liquidation logging practiced by the three principal timber corporations dominating the region (Georgia Pacific, Louisiana Pacific, and Pacific Lumber) as the forests themselves.

Bari and Cherney were not only Earth First!ers, they were dues paying members of the Industrial Workers of the World (IWW), the Wobblies, who had—in 1917—won the eight hour day through their radical point-of-production oriented unionism in spite of incredible opposition from the timber corporations *then*. Indeed, even some of the timber workers whom the media claimed were the sworn enemies of Earth First! were also members of the IWW and covertly working with Bari and Cherney. There were even a handful of timber workers who had openly declared their alliance with Earth First! and their support of Redwood Summer.

Furthermore, Bari and Cherney were completely unaware that they had been transporting an armed explosive, and investigations soon proved that the bomb was most likely intended to murder Bari while at the same time make it *look* like she had been knowingly transporting it to use in some act of industrial sabotage (even though it actually *wasn’t*). Following the bombing, the FBI and Oakland Police went to desperate lengths to try and “prove” the bombing victims were guilty, even to the point of provid-

ing false leads and manufacturing evidence. As for the Arizona arrests, these had been a clear case of entrapment *by the FBI, by its own admission*, and one of the organizers of the action that had led to the arrests had been an undercover FBI agent who had infiltrated Earth First! with the expressed purpose of discrediting the environmental movement. The bombing of Bari and Cherney had eerily similar “footprints” all over it.

* * * * *

Why did all of this happen and who bombed Judi Bari? The organizers of Redwood Summer (which included Earth First!ers, Wobblies, environmentalists, labor union members, and activists of all stripes—most of them residents of the North Coast) as well as historians have tried to answer both questions ever since that fateful day.

Who” remains unknown as of the writing of this book, a process which began in the months following Bari’s death on March 2, 1997, seven years after the bombing due to inoperable cancer. Many hypotheses have been put forward, but still no one has a complete answer, and people disagree on those theories.

IWW singer and songwriter Utah Phillips, a close friend and ally of Bari and Cherney had once told them, “The Earth isn’t dying, it’s being killed, and the people killing it have names and addresses.” Darryl Cherney, himself an adept and clever songsmith, took those words to heart and penned the following lyrics that pointed fingers and named names of the possible suspects, a song which he titled, “Who Bombed Judi Bari?”

*Now Judi Bari is a union organizer¹,
A Mother Jones at the Georgia-Pacific Mill,
She fought for the sawmill workers,
Hit by that PCB spill².
T. Marshall Hahn’s calling G-P shots from Atlanta,
Don Nelson sold him the union long ago,
They weren’t gonna have no Wobbly,
Running their logging show³.
So they spewed out their hatred,
And they laid out their scam,
Jerry Philbrick called for violence⁴,
It was no secret what they planned;*

¹ Detailed in Chapter 11.

² Detailed specifically in Chapter 14 and 26.

³ Detailed in Chapters 14, 19, and 26.

⁴ Detailed in Chapters 35 and 36.

Chorus:

So I ask you now...

Who Bombed Judi Bari?

I know you're out there still

Have you seen her broken body

Or the spirit you can't kill?

Now Judi Bari is a feminist organizer,

Ain't no man gonna keep that woman down,

She defended the abortion clinic,

In fascist Ukiah town;

Calvary Baptist Church called for its masses,

Camo-buddies lined up in the pews,

You can see all of their faces,

In the Ukiah Daily News⁵;

And they spewed out their hatred,

As Reverend Boyles laid out their scam,

Bill Staley called for violence,

It was no secret what they planned⁶;

Chorus

⁵ This is a conflation of *Ukiah Daily Journal* and *Willits News*, two publications of roughly similar, small-town, moderately conservative political orientation, composited here to fit the meter and rhyme.

⁶ Detailed in Chapters 12 and 37.

*Now Judi Bari is an Earth First! organizer,
 The California Redwoods are her home,
 She called for Redwood Summer,
 Where the owl and the black bear roam⁷;
 Charlie Hurwitz he runs MAXXAM out of Houston⁸,
 Harry Merlo runs L-P from Portland town⁹,
 They're the men they call King Timber,
 They know how to cut you down;
 And Shep Tucker¹⁰ spewed their hatred,
 As Candy Boak laid out their scam¹¹,
 John Campbell called for violence¹²,
 It was no secret what they planned;*

Chorus

*Now Judi Bari is the mother of two children,
 A pipe bomb went ripping through her womb,
 She cries in pain at night time,
 In her Willits cabin room;
 FBI is back again with COINTELPRO,
 Richard Held is the man they know they trust,
 With Lieutenant Sims his henchman,
 It's a world of boom and bust;
 But we'll answer with non-violence,
 For seeking justice is our plan,
 And we'll avenge our wounded comrade,
 As we defend the ravaged land¹³;*

Chorus (x2)¹⁴

Judi Bari attempted to solve the mystery herself while continuing to fight to save the redwood forests of the North Coast as well as fight for the livelihoods of the tim-

⁷ Detailed in Chapters 30-35.

⁸ Maxxam acquired Pacific Lumber in a hostile takeover in 1985. Detailed throughout this book, beginning with Chapter 4.

⁹ L-P is Louisiana Pacific. Detailed throughout the book, beginning with Chapter 3.

¹⁰ In some variations, the name mentioned is "Don Nolan" rather than "Shep Tucker". Shep Tucker was a spokesman for L-P

¹¹ Detailed in Chapters 12, 16, 32, 33, 35, and 36.

¹² John Campbell was the Vice President of Lumber Production and later the President of Pacific Lumber. The threat is mentioned specifically in Chapter 33.

¹³ Detailed in Chapters 18, 36 and 37.

¹⁴ Who Bombed Judi Bari?, lyrics by Darryl Cherney, featured on the album Timber, © by Darryl Cherney, 1991, and also Who Bombed Judi Bari? © by Darryl Cherney 1997, and in the IWW's Little Red Song Book, 36th edition, published by the IWW Hungarian Literature Fund, 1995 (this last source juxtaposes verses three and four and misspells "Earth First!" as "Earthist."

ber workers and challenge the timber corporations that she and the other organizers of Redwood Summer were liquidating the very forests upon which the economy and ecology of the North Coast depended. Bari never got around to writing her book, though she was able to cobble together a collection of her shorter writings in a compilation which she named *Timber Wars* (after an article she wrote for the *Industrial Worker*, the official newspaper of the IWW seven months before the bombing) and self published in 1993, until a small left-liberal publisher, Common Courage, of Monroe, Maine agreed to produce it commercially in 1994.

Timber Wars shed much light on who and why, but (by Bari's own admission), it fell short of fully answering the questions completely. She was convinced that the bombing was part of a conspiracy involving the three timber corporations (referred to often in this book as "Corporate Timber" collectively for the sake of clarity) with at least the complicity (and quite possibly the involvement) of the FBI, at least, and quite possibly the agency's *involvement*. The expressed purpose of the conspiracy was to discredit her, Earth First!, its allies, and Redwood Summer. Bari offered ample evidence to support her conclusion, but her theories were incomplete, even if verifiable, and many of her critics pooh-poohed them.

In spite of Bari's writings, there were some who still insisted—in spite of the overwhelming evidence *against* the possibility (presented in this book, of course)—that either Bari or Cherney, or both of them, were indeed guilty and somehow managed to hoodwink all of their family, friends, and allies into believing that they were innocent. Such theories were and are easily disproven.

There were those who believed that Bari and Cherney had been targeted by a lone nut, perhaps a political reactionary, such as ex-NFL football player, Bill Staley, who disdained the two activists' radical environmentalist and leftist political orientation. Certainly both Bari and Cherney accepted that this was indeed a possibility, but an unlikely one given the lengths to which the FBI and Oakland Police attempted to frame the bombing *victims* as the bombing's *suspects*.

Meanwhile, some suggested that the bomber was somebody close to either one or both of the pair, perhaps an activist who had a personal score to settle with either or both of them, or perhaps an ex-lover. For example, following Bari's death, some theorized that Judi Bari's ex husband, Mike Sweeney, might have been the bomber. The first person of any significance to propose this theory was liberal documentarian, and former child actor Steve Talbot (most famous for his role as "Gilbert" on *Leave it to Beaver*) in his decent, though still very flawed documentary "Who Bombed Judi Bari?" which aired on PBS TV station KQED in San Francisco in May of 1991. However, Bari *herself* dispelled this theory simply by pointing out that "Mike was taking care of my children at his girlfriend's house when the bomb was planted, and she can verify that Mike did not leave her house at any time when he would have had an opportunity to place the bomb."¹⁵ Bari was nothing if not highly intelligent and precise in her logic.

¹⁵ "Who Bought Steve Talbot?", by Judi Bari, *Anderson Valley Advertiser*, May 29, 1991.

Bari and Cherney were convinced enough to sue the FBI and Oakland Police for discrimination and wrongful arrest, violations of their First and Fourth Amendment Rights. The case took over 11 years to run its course, involving much discovery—despite constant stonewalling (through the use of procedural motions intended to delay, misdirect, and bog down the case as much as possible) by the FBI. Though Bari did not live to witness the outcome, on June 11, 2002, a federal jury returned a stunning verdict in favor of Judi Bari and Darryl Cherney in their landmark civil rights lawsuit against four FBI agents and three Oakland Police officers and awarded them \$4.4 million in damages. Nowhere in the case did either side suggest that Bari’s ex husband had *any* role in the bombing.

Still, the theory that Sweeney was the bomber has taken on a life of its own, generating much controversy in recent years. A group of Bari’s former associates—including *Anderson Valley Advertiser* editor and publisher, Bruce Anderson (the name is coincidental) and the late leftist intellectual Alexander Cockburn—have banded together and even gone as far as claiming that Bari had *known* that Sweeney had planted the bomb in her car but dared not speak out of fear for her life, because her ex husband was violently abusive towards her (hence their divorce), and/or he had some secret knowledge about criminal acts that he, himself, had carried out with Bari’s complicity, thus making her an accomplice to a crime. Anderson, et. al. claimed that the lawsuit against the FBI and Oakland Police was a smokescreen to cover up their *own* conspiracy. They argued that the only reason why the FBI and Oakland Police had been found guilty at all was due to their own incompetence. The advocates of this theory claimed for several years after Bari’s death that they would expose the “truth” of this claim and their efforts finally culminated in a book by Kate Coleman called, *The Secret Wars of Judi Bari: A Car Bomb, The Fight For The Redwoods, and the Death of Earth First!*, published on January 25, 2005 by the extreme *right* wing publisher Encounter Books, owned by ex *Ramparts* co-editor and born-again reactionary Peter Collier.

As it turned out, Coleman’s book not only falls short of the mark as far as proving its case, it doesn’t even come remotely close to the *target*. It is full of errors in fact as well as unproven rumors, innuendos, and outright falsehoods that are so blatant they have spawned at least one website, www.colemanhoax.info, debunking them page-by-page, line-by-line (that the site was produced by Mike Sweeney himself is immaterial, as the facts he presents—unlike Coleman and her associates—are verified and speak for themselves). Almost nobody has reviewed this book favorably, and most consider it to be little more than a right wing hatchet job intended to discredit Bari and all she stood for, throw doubts on the case against the FBI and Oakland Police, and further discredit the movement the culminated in Redwood Summer (not to mention

line Coleman's and Collier's pockets).¹⁶ The motivation for Coleman and Collier is very easy to discern, and that is greed. It is far more lucrative, in a capitalist economy at least, for one to serve the forces of reaction than it is to challenge them head on. Anderson's motivation is far more personal. In spite of his professed leftist views, Anderson had (among others) a considerable blind spot when it came to matters of gender equality, a point on which he and Bari disagreed vehemently for years until their ultimate falling out in 1993.

Bruce Anderson's own younger brother, Robert Anderson, is among those who have debunked and denounced his Brother's and Coleman's claims, stating:

(My brother's) approach to the bombing is particularly odd considering that (he) supported Redwood Summer and Judi Bari during that intense political chapter in the history of the Northcoast. It's as if (he) has forgotten what that period was like, how full of political tension, threats and bullying by the timber industry and its supporters."¹⁷

Indeed, Robert Anderson has correctly identified the proverbial "elephant in the room". To know who *did* (and for that matter, who *didn't*) bomb Judi Bari (and Darryl Cherney), it is much more important to determine *why* they bombed Judi Bari and Darryl Cherney. This book does not identify *who* bombed Judi Bari any more than Bari's own book, or even Kate Coleman's, but it *does* explain why. In fact, it picks up the scent of the trail that Bari herself had been following, but whose endpoint she never reached due to her untimely death. When asked, in 1995, why she was bombed, she declared:

(My) activities came at the intersection of two campaigns: one of the campaigns was timber industry and Wise Use, which both historically are riddled with thugs—(during) the (height of the radical) labor movement—all through the history of timber. I think it goes with all extractive corporations: the worse they do to the earth, the worse they do to the people, and the timber industry has a very long history of physical brutality to people who would oppose them. I think I was targeted by the timber industry because I was posing somewhat of a threat to them by exposing what was happening here in the redwoods, bringing it into a national forum so people could see it, and I think I was posing a threat to them by building alliances with the workers, by defining the problem as the community vs. these out-

¹⁶ For most of these, see www.colemanhoax.info. It is even more ironic given the fact that Bruce Anderson *himself* once stated, "Mike Sweeney certainly didn't do it...the answer lies somewhere in the timber industry." (in the *Anderson Valley Advertiser*, May 29, 1991).

¹⁷ http://www.andersonfordistrict5.net/documents/judi_bari.html

of-town corporations, instead of environmentalists versus loggers. I think I posed a threat to them just by restating the question in that manner.”¹⁸

And just what was it that Judi Bari threatened with her political activity? Corporate Timber had, by the time of the bombing, managed to convince a great many people that they managed America’s forests well and that even aged managed forests were healthy forests; that the capitalist business model was ideal for such forestry; that the timber industry provided good jobs; that they treated their workers well; that rural economies in forested regions depended upon the Corporate Timber business model; that where timber unions existed, they had achieved labor peace with the employers; that the industry planted more trees than they cut; that clearcutting was a viable—even *beneficial*—sustainable timber harvesting method; that environmentalists had “gone too far,” and had locked up plenty (if not too many) forests in parks; and that environmentalists were either elitists or “unwashed-out-of-town-jobless-hippies-on-drugs”, who were “outside” agitators with a nefarious, perhaps even “communistic” agenda which would result in the ultimate destruction of rural, timber dominant communities, such as the North Coast.

Bari maintained that *none* of these assertions—not a solitary one—came close to the truth, and that Corporate Timber through is sophisticated propaganda machine and slick P.R., aided dutifully by the Corporate Media, had crafted a paradigm where white was black, or rather—more accurately—yellow was green. Bari maintained that in fact the *opposite* contentions were in fact true and the conventional theories and models put forth by Corporate Timber were but a paper-thin veneer that could be readily exposed and challenged.

Skeptical readers might feel justified in pointing out that Judi Bari was not the first radical environmentalist to expose such official myths, and that is true enough, but there was something significantly different about her approach that made her a far more substantial threat to her adversaries. She fully integrated her radical environmentalism with class struggle at the point of production. There had been many who had opposed the destruction of ancient forests by incorporating direct action tactics and putting their bodies on the line, to the point of risking arrest or even violent repression. There had likewise, been many who had analyzed the destruction of the ancient forests in the context of class and political economy, few—if anyone (outside of Chico Mendes) had done both. Some, like writer Jeff Shantz, have referred to Bari’s approach as “green syndicalism”—which is a more or less accurate description, though she, herself called it “Revolutionary Ecology”. And her perspective wasn’t mere theory; she was actually beginning to put that theory *into practice and it was working*.

Bari believed, and I—dear reader—agree, that she was targeted because she represented a viable democratic, populist, grassroots challenge to the powers that be, in this case, Corporate Timber, and its established paradigm of total control over the

¹⁸ “Who Bombed Judi Bari?”, Judi Bari interviewed by Beth Bosk, *New Settler Interview*, Issue #89, 1995.

redwood forests of California's North Coast and by extension—as you will see in this book—America's forests in general, the modern timber industry, and capitalism itself. Bari stood upon the crest of a wave of change that was poised to undermine the existing order, and she was more than willing to ride it to its conclusion. That wave was a confluence of both environmentalist and labor movements and, if left unchecked in its course, it could very well have washed away institutions, both “private” and “public” that were, by many people's accounts, corrupt and rotten to their very core.

However, as Frederick Douglass once wrote, “power concedes nothing without a struggle,” and this was no exception. Bombing or no, connected or not, the movement which Judi Bari led had *already* faced enormous resistance *and* violence from the established powers and their enablers. In the face of this violence, Bari and her allies remained steadfastly and proudly *nonviolent*, and even *that* resolve challenged the powers that be. When it is understood *why* the bombing occurred, *who* specifically assumes far less significance than the forces which they represented.

Explaining *why* is no simple matter, however, and getting it all down in one place eluded all who have thus tried, including Judi Bari. Recently, Darryl Cherney and his friend Mary Liz Thompson have produced a thorough and excellent documentary, named *Who Bombed Judi Bari?* (a popular title, no doubt), largely based on the video graphed deposition of Judi Bari in preparation for the case against the FBI and Oakland Police. The film also attempts to answer “who” and “why”, and it comes closer than anyone else, but due to the limitations of the medium, cannot tell the whole story, the one that Bari had intended to tell. This book, hopefully, dear reader, tells that tale and provides the answers, but it also requests your patience in doing so. As stated in the quotation by Martin Luther King by which this narrative commences, the arc of history is indeed long, and this story begins, long ago.

1. An Injury to One is an Injury to All!

The mill men all insist on one thing: that the Government will grant the manufacturers protection from the lawless element of the I.W.W.'s"

—J. P. Weyerhaeuser, 1917

*Is there aught we hold in common with the greedy parasite,
Who would lash us into serfdom and would crush us with his might,
Is there anything left to us but to organize and fight?
The union makes us strong...*

—Lyrics excerpted from *Solidarity Forever*, by Ralph Chaplin, ca. 1915

The timber industry has, throughout nearly its entire history, been in the control of an elite minority of the very rich and powerful, and they have been especially avaricious, violent, and repressive towards all who would challenge their power. They have also—in spite of a barrage of slick propaganda trumpeting their careful management of the resource—depleted most of the virgin forests of the Pacific Northwest. Many environmental organizations can trace their origins to opposition to such practices, and in the struggles by environmentalists to preserve forestlands, timber workers have had a reputation for being their fiercest adversaries, and in many cases, this is true. Timber workers have a well deserved reputation for being outspoken about the pride of purpose in their job, as well as a deeply ingrained cultural machismo. Yet lumber harvesting and production is historically one of the ten most dangerous jobs in the industrialized world, and timber workers are among those most exploited by their employers. One would logically expect the timber workers to be highly resistant to such treatment, but in recent years they haven't been. This wasn't always so. To understand why, one must examine the industry's origins.

Before the arrival of European-American settlers to the Pacific Northwest, the entire region stretching from northern California to Canada and Alaska from the Pacific Coast to the Rocky Mountains was dominated by coniferous old growth forests. At least 20 million acres of this land was forested, dominated by various species of trees, some of them hundreds of feet in height, over a dozen feet in diameter, and centuries or

even millennia old.¹ In the southwestern part of this region, stretching from Big Sur to roughly what is now the Oregon state line, in a belt that was at least twenty miles wide for most of its expanse a very unique species of tree dominated, *Sequoia sempervirens*, commonly known as the California redwoods, some of them standing over 350 feet tall. Their close (and similarly large) cousins, *Sequoiadendron giganteum*, better known as the Giant Sequoia, only grew in a few isolated spots in the southern end of the Sierra Nevada foothills. These vast forests were far more than the trees, however. Hundreds, if not thousands of plant and animal species lived and flourished within these wooded habitats, and as far as is known, the indigenous population of the Americas had no significant lasting impact on California's ancient redwood forests, nor did they have any lasting effect on the timberlands of the Pacific Northwest in general.² Like the Native Americans, the old growth forests of the Pacific Northwest had remained left more or less untouched for thousands, if not hundreds of thousands of years.

The coming of the white man changed all of that. The Russians first began exploiting the redwoods for the construction of Fort Ross in 1812, during their very brief settlement there.³ As more Europeans arrived, the forests south of San Francisco were the first to be logged, usually through clearcutting, until these ancient stands were completely liquidated by 1860. In those days, loggers used hand saws, and felling an ancient redwood could take anywhere from two-to-five days to complete. The redwoods to the north of the Golden Gate in what is now Marin County were logged next, especially along rivers that allowed easy transportation by the available modes of the day. By this time, around 1881, the steam engine had replaced pack animals. Though this first wave of automation did not have a significant impact on the number of workers involved in the logging process, it greatly increased the impact logging had on the redwoods. Entire forests were liquidated, no matter how small the tree, because even the baby trees were used to build the skid roads used for hauling the larger ones. These forests were never replanted, and very few of them grew back, and in some cases, farmlands replaced them. By the beginning of the 20th Century, all but a few of these ancient trees were gone and logging operations migrated north to Sonoma County. One quarter century later, most of these old growth forests were likewise gone.⁴

The remoteness of California's "North Coast", stretching north from Point Arena, in southwestern Mendocino County, to what is now the Oregon border, which is comprised of mountainous, rocky terrain with few rivers and bays to provide easy access, helped keep that region free of logging until the latter half of the 19th Century. The California Gold Rush of 1849, however, greatly increased the demand for timber, and

¹ 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 2, "Ecological Catastrophe and Social Conflict".

² "Redwood Summer, an Issues Primer", by Bill Meyers, *Ideas & Action*, Fall 1990.

³ "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.

⁴ Meyers, op. cit.

that helped draw opportunistic lumbermen to what is now Del Norte, Humboldt, and Mendocino Counties.⁵ The further discovery of gold along the Trinity River to the east of Humboldt County brought about a second, smaller but highly significant gold rush on the North Coast.⁶ The initial settlement in what became the city of Eureka at Humboldt Bay happened in 1850, the year of California's admission to the Union as the 31st American state.⁷ As early as 1870, logging and milling industries dominated the region's economy.⁸ Homesteading laws allowed (non indigenous) settlers to acquire 160 acres of land at approximately \$1.25 per acre, and redwood forests produced on average \$1,500 per acre. This created a land rush on California's ancient forests such that by the turn of the Twentieth Century, most of them were in private hands.⁹ The Giant Sequoias only managed to escape destruction because they proved too difficult to log and transport in those days.¹⁰

The turn of the century Presidential administrations of Grover Cleveland and Theodore Roosevelt were, at the time, progressive on environmental matters, at least by the standards that existed in those days, and they built upon the progress of previous administrations. As early as 1876, the US Government began to concern itself with forest preservation. That year, an act of Congress created the office of Special Agent in the Department of Agriculture to assess the quality and conditions of forests in the United States. In 1881, the office was expanded into the newly formed Division of Forestry. The Forest Reserve Act of 1891 authorized withdrawing land from the public domain as "forest reserves," managed by the Department of the Interior, but this was not the result of grassroots environmental activism. The National Forest System was partly the result of concerted action by Los Angeles-area businessmen and property owners who were concerned by the harm being done to the watershed of the San Gabriel Mountains by ranchers and miners.¹¹ The Bureau would eventually become the US Forest Service in 1905, and its first chief was a man named Gifford Pinchot. Pinchot sought to turn public land policy from one that dispersed resources to private holdings to one that maintained federal ownership and management of public land. Pinchot was a progressive who was a strong adherent to the efficiency movement, and in the matter of forestry, that meant the most efficient and waste free harvesting methods available. Under Pinchot's guidance, the early US Forest Service administrations

⁵ Bartley and Yoneda, op. cit.

⁶ http://www.nps.gov/redw/historyculture/area-history.htm#CP_JUMP_196761

⁷ Bartley and Yoneda, op. cit.

⁸ "Log Export History: Mill Jobs Exported", by Edie Butler, *Hard Times*, Vol. 3, #1, February 1983.

⁹ Meyers, op. cit.

¹⁰ "Forest Giant", by Eric Quammen, *National Geographic*, December 2012.

¹¹ "Federal Land Management: Observations on a Possible Move of the Forest Service into the Department of the Interior", GAO report, February 11, 2009.

promoted conservation, albeit on the service of maximizing the potential use of the resource.¹²

At the same time, the first groups of environmentalists fought the encroachment of commercial logging interests on wilderness throughout the Pacific Northwest. In 1892, John Muir established the Sierra Club, partly to duplicate his efforts to preserve California's Yosemite Valley, which, with the help of President Roosevelt, had become the nation's second National Park after Yellowstone in Montana.¹³ From these efforts the US Government established the National Park System, but almost from the start, the timber barons sought to undermine it, and successfully engaged in divide and conquer tactics to achieve that goal. As head of the US Forest Service under the Roosevelt and Taft administrations, Gifford Pinchot had jurisdiction over the National Park System, but his vision of "efficient resource use" clashed with Muir's. Their competing visions of conservationism came to a head over the Hetch Hetchy Reservoir and dam in 1908.¹⁴

During the early 1900s, the City of San Francisco had been battling with a private water company that provided subpar service at high prices. Their solution was the construction of a municipally owned water and power company to be created from damming the Hetch Hetchy Valley. In the 1906 San Francisco Earthquake and Fire which damaged much of the city, the private water company failed to provide adequate water supplies to prevent the destruction, thus creating a political tidal wave pushing for the Hetch Hetchy project. Muir and the Sierra Club opposed the project, but with Pinchot in command of the National Park System, the dam would eventually be built in 1912 under the Wilson administration.¹⁵ Although well intended, this project established the precedent that human interests came before biological ones—even in national parks—and in doing so the government opened the door for private exploitation of public resources. The implications of this decision would soon prove to be dire.

By the turn of the Twentieth Century, practically all private timberlands in the United States and Canada were already controlled by large corporations—called "trusts" and "monopoly groups" in those days—and among them, the largest were owned by Rockefeller and Weyerhaeuser.¹⁶ At one point, lumber corporations were so powerful and their holdings so vast, the United States Department of Commerce

¹² "The History of Forestry in America", page 710, by W.N. Sparhawk in *Trees: Yearbook of Agriculture*, 1949. Washington, DC.

¹³ Bartley and Yoneda, op. cit. Unfortunately, according to radical ecologist Mark Dowie, Muir's motivations were tinged with Eurocentric colonialism (*Sun Magazine*, August 2013), specifically the eviction of indigenous Miwoks, Mono Paiutes, and Ahwahnechee who migrated in and out of the valley seasonally subsisting off the land in a more or less harmonious, symbiotic relationship—quite unlike the European lumber baron settler-colonizers the Sierra Club was supposedly fighting.

¹⁴ Fox, Stephen, *John Muir and His Legacy*, Boston, MA, Little Brown, 1981, pages 139-47.

¹⁵ [Missing footnote.]

¹⁶ Rowan, James: *The IWW in the Lumber Industry*, Chicago, IL, Industrial Workers of the World, 1922.

under the President Taft administration reported, “There (is) a dominating control of our standing timber in a comparatively few enormous holdings steadily towards the control of the lumber industry.” The commercial value of this timber was measured at no less than \$6 billion (in 1920 dollar amounts), owned by no more than “ten monopoly groups aggregating only 1,802 holders.” The amount of standing timber was measured at 1.2 *quadrillion* board feet, or approximately enough wood to build a bridge more than two feet thick, five miles wide, and 3,310 miles long (the approximate distance from New York City to Liverpool).¹⁷ The lumber magnates were exorbitantly wealthy and no less robber baron capitalists than those who owned railroads or vast oil reserves.

By contrast, conditions in those days for the lumber *workers* were abysmal. Workers were paid just barely enough to survive, if that, and ten or even twelve hour-workdays were common. Loggers tended to be itinerant workers and lived in camps where the living conditions were vile, bunk-houses unspeakably filthy and overcrowded, the water polluted, and the food rotten. Many workers had to pack their own blankets from job to job and many other conditions cried for improvement.¹⁸ Meanwhile, the sawmills could credibly have been described as “satanic”. Workers endured similar long hours of work and pitifully meager wages, and few who worked as sawyers for any significant length of time escaped without at least one serious injury to one or both hands. Their fellow workers in the woods faced a similar daily array of horrors that could result in mutilation or even untimely death, and there were little or no safety standards to mitigate potential loss of limb or even life. Workers paid a monthly hospital fee of \$1, which was no small amount in those days. The hospital was company owned, and the doctor’s role was to dispense the injured or ill worker as quickly as possible with as little hassle to the employer as manageable. The profit of the “lumber trust” trumped all other considerations. To make matters worse, the vaunted American “democracy” was made mockery of by the realpolitik of corporate dominated timber communities. Whole towns, counties, even states—including all branches of the government—were owned lock, stock, and barrel by the timber corporations. In some cases, this was *literally* true, as lumber companies were known for creating “company towns”.¹⁹

Job security was nonexistent. Collusion between local authorities and lumber mill owners, shootouts, and lynching of dissident radicals characterized labor relations throughout the Pacific Northwest.²⁰ In most logging camps, timber fallers could not obtain employment unless they first obtained a ticket, for no small fee, from an employment agent, much like a modern temp agency. These agents, known to many workers as

¹⁷ Smith, the Hon. Herbert Knox, *The Lumber Industry, Part 1: Standing Timber*, US Government, Department of Labor, 1919, reprinted in Rowan, James, op. cit.

¹⁸ “Lumber Workers: You Need Organization”, leaflet by the IWW’s Lumber Workers Industrial Union 120, ca. 1927.

¹⁹ Rowan, op. cit.

²⁰ *The Great Lumber Strike of Humboldt County, 1935* by Frank Onstine, portions of which were reprinted in the *Country Activist*, September 1985.

“job sharks”, worked in concert with the lumber corporations, generally to keep wages low and conditions abysmal. In some cases, the “shark” would be constantly shipping new gangs of workers to the logging camp, while the employers were working another gang, while meanwhile, the gang they had just discharged was on its way back to the employment agent, giving rise to the so-called “three-gang system”.²¹ IWW singer-songwriter Utah Phillips in somewhat nostalgic historical recollection half humorously referred to this as “the bosses’ idea of perpetual motion”, though to the timber worker this was no joke.²² If the worker complained about his lot, took ill, or was injured on the job, the employers would contact the shark for replacements.²³

Meanwhile, workers in the mills were under constant pressure to maintain production. To speak out against these injustices was to risk not only (early) termination, but blacklisting as well. The employers made sure of this and they also kept close tabs on their revolving door employment gangs by enlisting the help of willing collaborators to serve as spies, who could be called upon to finger potential dissidents.²⁴ Resistance to this sorry state of affairs was difficult if not impossible individually, but the workers did have one thing on their side, and that was the power of mutual aid and collective action. In other words, they could organize a union.²⁵

The earliest attempts at union organizing were spurred on by radicals and idealists. Many of them were veterans of attempted utopian communities which experimented with rudimentary forms of socialism on an isolated, small village scale during the late 19th Century.²⁶ For more than half a century, numerous attempts to overcome the stranglehold over working conditions by the employing class was made by various progressive and/or radical movements, including the Knights of Labor, Populists, Progressives, International Workingman’s Association, Union Labor Party, Greenback Labor Party, and various other utopians.²⁷ Fittingly, the earliest known attempts to organize a timber workers’ union took place in Eureka in 1884. Shortly after its formation, it affiliated with the Knights of Labor, and at its height, its membership reached over 2,000 with locals in Eureka, Arcata, Freshwater, and several other nearby communities. One of its principle grievances was the hospital fee, and the union successfully—through nonviolent collective action—decommissioned the company hospital and forced the head doctor to leave town, never to be seen there again. It also successfully fought

²¹ Rowan, *op. cit.*

²² “The Origin of the Hiring Hall and Free Speech Fights”, by Utah Phillips, *Making Speech Free*, music and spoken word album, IWW, recorded May 7, 1999 in San Francisco, CA.

²³ “Lumber Workers: You Need Organization”, *op. cit.*

²⁴ Rowan, *op. cit.*

²⁵ “Lumber Workers: You Need Organization”, *op. cit.*

²⁶ “The Public Outlaw Show: Democracy is Not a Spectator Sport”, Dave Chism and Bob Cramer, interviewed by Dan Fortson on KMUD FM, November 27, 1997.

²⁷ Detailed in Cornford, Daniel, *Workers and Dissent in the Redwood Empire*, Philadelphia, PA, Temple University Press, © 1987.

against wage reductions and exposed on ongoing scam by the California Redwood Company (CRC), to the unsuspecting public.²⁸

CRC was incorporated in California, but owned by absentee capitalists whose agenda—which the latter did little to conceal—was to obtain a monopoly of all redwood timberland and timber production facilities in California, and they did so by employing an underhanded, though technically legal form of trickery. In those days the US Government, and many western states and territories in particular, strongly encouraged the homesteading of “unclaimed” land (the long preexisting territorial rights to such land by indigenous peoples were, of course, utterly ignored). Knowing this, agents of the company would convince locals to file claims at the local land office which the latter would then sell to the company for a small profit, usually \$20. Of course, these agents didn’t reveal their *actual* interests to their unsuspecting cats’ paws, but their activities didn’t escape notice by at least one wary local, a Eureka butcher by the name of Charles Keller, a member of the International Workingman’s Association—the very same First International whose members included Michael Bakunin and Karl Marx. Keller took notice of the large number of customers who boasted about their land deals, suspected fraud, and conducted his own private investigation. What he discovered was astonishing, and he tried to expose the subterfuge only to find that the first three land agents he contacted were in the know. He was even offered \$60,000, on which one could retire in those days, by the perpetrators to drop the affair, but the butcher refused to be bought.²⁹ The fourth agent, likewise, was incorruptible, and with Keller, filed the following report in 1886:

The agents of the company soon discovered (the new agent’s) presence and business and attempted to defeat the investigation. Some of the witnesses were spirited out of the country; others were threatened and intimidated; spies were employed to watch and follow the agent and report the names of all persons who conversed with or called upon him; and on occasion two persons who were about to enter the agent’s room at his hotel for the purpose of conferring with him in reference to the entries, were knocked down and dragged away.”³⁰

Keller was intimidated and blacklisted as was his shop. The local press, led by the *Humboldt Times* and the *Humboldt Standard*, both of whom were subservient to the interests of the CRC, denounced Keller as an outsider, influenced by foreign agency, which was ironic considering the actual nature of the CRC’s owners. The smear campaign succeeded in forcing Keller to move to Tulare County in southern California, but the investigations continued and—with the collective solidarity of the labor union,

²⁸ Kennedy, James, *The Lumber Industry and its Workers*, Second Edition, Chicago, IL, Industrial Workers of the World, 1922.

²⁹ Fortson, op. cit.

³⁰ Cornford, op. cit.

to which Keller was sympathetic—the corrupted officials of the CRC were eventually indicted and the company was forced to shut down.³¹ The union itself managed by 1890 to successfully force the other employers to reduce the standard workday from twelve to ten hours, but a year later, the employers, eventually working together in concert, broke the union through an intense campaign of blacklisting and intimidation. The first attempt at organizing a timber workers’ union had been successful on a small scale, but ultimately limited by the organized power of the employing class.³²

There would be several attempts to organize sawmill workers in northwestern California again, the majority of these beginning at the opening years of the Twentieth Century. These attempts stemmed from an upsurge in union organizing nationwide, which was reflected in California. From 1900 to 1904, the number of trade unions increased from 217 to 805 and the number of workers in unions soared from 30,000 to 110,000. The American Federation of Labor (AFL) made its initial attempts to organize in the lumber industry on the North Coast, focusing primarily on Mendocino County, where there was a particularly violent strike in 1902 and 03. In Fort Bragg the Union Lumber Company (ULC)—whose name stemmed from the merger of three smaller companies and whose hostility to *labor* unions was legendary—surrounded its mill in the coast town of Fort Bragg with barbed wire and hired armed guards to harass and intimidate strikers. During the course of the strike, these guards shot several of the strikers and the union efforts were crushed. Despite these setbacks, in 1905, the AFL still managed to establish a foothold in *Humboldt* County, accepting affiliation of the newly formed International Brotherhood of Woodsmen and Sawmill Workers (IBWSW), whose membership reached 2,000—consisting of over half the county’s workforce—within two years of its founding. By then Humboldt County’s lumber industry was dominated by three corporations at the time: Hammond Lumber Company, Northern Redwood Lumber Company, and Pacific Lumber Company, who together owned 64 percent of the county’s timberlands and accounted for 60 percent of its milling capacity.³³

Beyond the North Coast, there were numerous attempts to organize in the timber industry under the banner of various labor unions and federations, including the AFL, but their successes, if any, were always limited and short lived. This was due to various factors, including the organized power of the lumber employers, the tendency of these unions to organize on a small scale, and the tendency of many of the latter, particularly the AFL, to organize workers by skill or craft—often shunning unskilled workers—and to collaborate with the employer over various workplace issues. This extended well beyond lumber to most industries.³⁴ The AFL believed in the principle, “a fair day’s wage for a fair day’s work”, which meant that they believed in the principles of capitalism, but that workers deserved a bigger share of the pie. This principle conflicted, however,

³¹ Fortson, op. cit.

³² Kennedy, op. cit.

³³ Bartley and Yoneda, op. cit..

³⁴ “Lumber Workers: You Need Organization”, op. cit.

with the notion, once expressed by Adam Smith of all people, that labor creates all wealth and that the only fair way to share the pie was to divide the company's profits equally. Among timber workers in particular, those working in the mills were considered the skilled craftsman, and tended to be mostly of WASP descent, while those working in the woods were considered less skilled and tended to be of a larger variety of backgrounds, particularly northern, central, and eastern European, and sometimes even Asian or African American. Many unions, including the AFL shunned these unskilled, non WASP workers out of racial and class prejudice. Veterans of these early labor struggles, who included some of the aforementioned utopians along with those radicalized by direct experience in these struggles, determined that something more than the existing model of unionism was needed, but what?³⁵

In response to this need, a group of these idealists and radicals held various meetings in Chicago in 1904 and established, in 1905, the Industrial Workers of the World (IWW), popularly known as the "Wobblies". The new union announced its intent to organize all workers regardless of race, color, creed, national origin, sex, or skill into "One Big Union." They pledged that they would organize all workers in the same industry into one union as opposed to competing craft unions. They stressed the use of the strike, direct action in the workplace, and building direct worker control over the means of production.³⁶ This intent was most eloquently spelled out in the Preamble to the Constitution of the IWW, which (as of 1908) began:

The working class and the employing class have nothing in common. There can be no peace so long as hunger and want are found among millions of working people and the few, who make up the employing class, have all the good things of life.

Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production, and abolish the wage system..."³⁷

The IWW proposed as the workers' ultimate weapon, the "general strike" whereby all workers in the same industry (or, on an even larger scale, all workers worldwide) would cease work at the time and effectively lock out the employers, thus taking possession of the machinery of production once and for all.³⁸ The Preamble finished with:

³⁵ Thompson, Fred, and Jon Bekken, *The Industrial Workers of the World: It's First 100 Years, 1905-2005*, Cincinnati, OH, Industrial Workers of the World, © 2006, pages 1-16

³⁶ "The IWW and the IWA: The Struggle for Radical Unionism in the Northwest", by Troy Lariel Garner, *Ecology Center Newsletter*, September 1990.

³⁷ St John, Vincent, *The IWW: its History, Structure and Methods*, Chicago, IL, Industrial Workers of the World, 1917.

³⁸ Haywood, William D., *The General Strike*, IWW, speech given March 16, 1911 and Chaplin, Ralph, *The General Strike*, Chicago, IL, Industrial Workers of the World, 1933.

Instead of the conservative motto, ‘a fair day’s wages for a fair day’s work,’ we must inscribe on our banner the revolutionary watchword, ‘Abolition of the wage system’.

It is the historic mission of the working class to do away with capitalism. The army of production must be organized, not only for the every-day struggle with the capitalists, but also, to carry on production when capitalism shall have been overthrown. By organizing industrially we are forming the structure of the new society within the shell of the old.”³⁹

This vision wasn’t just revolutionary (replacing the leadership in charge of the economy and state), but *transformative*, seeking to completely remake society from the ground up *using the tools that were hitherto used to enslave in the process of doing so*.

The IWW was inspired by a confluence of the socialism of Marx, the anarchism of Bakunin, and many indigenous American radical tendencies blended together and tempered by the experience of direct struggle by workers at the point of production. The union adopted as its slogan, “an injury to one is an injury to all,” which eloquently illustrated the ideal of working class solidarity. The Wobblies also allowed members of other unions to hold membership cards in its own organization.⁴⁰ Many timber workers, particularly in the Pacific Northwest, who had become highly cynical of the AFL’s class collaborationism, were drawn to the IWW’s uncompromising militancy.⁴¹

The Wobblies’ presence was felt immediately in the Pacific Northwest. IWW members were known to have been active in Eureka as early as 1906, though at first their influence was limited.⁴² Many partially successful strikes took place involving IWW members in 1907, 1908, and 1909 in western Montana, where, in some cases, workers succeeded in reducing the daily hours of work to nine, but these efforts were undermined by the AFL’s collaboration with the companies. In 1907, 2,500 lumber workers struck for improved working conditions in Humboldt County, but the strike was crushed in six weeks due to conflicting positions by the IBWSW and IWW.⁴³ That same year, 2,500 sawmill workers struck in Portland, Oregon, bringing all lumber production in that city to a halt. Only a minority of the strikers were IWW, though they were “the leading spirits.”⁴⁴ The strike lasted three weeks but collapsed due to disagreements between the IWW and AFL.⁴⁵ According to the Wobblies, the leadership of the latter undermined the strike by caving in to the bosses’ demands against the will of

³⁹ St John, op. cit.

⁴⁰ Thomspson and Bekken, op. cit., pages 1-16

⁴¹ Garner, op. cit.

⁴² Cornford, op. cit.

⁴³ Bartley and Yoneda, op. cit.

⁴⁴ Rowan, op. cit.

⁴⁵ Garner, op. cit.

their rank and file, even instructing their members to cross the picket lines, some of which were maintained by IWW members.⁴⁶

The IWW's commitment to organizing all workers regardless of race or skill level pushed the boundaries of union organizing. In the American southeast—where the post Civil War Reconstruction had collapsed due to the reascendency of the Confederate power structure in all but official declaration—the Brotherhood of Timber Workers, based in southwestern Louisiana, which started in 1910, affiliated with the IWW in 1912, with a membership of at least 5,000.⁴⁷ It was one of the first fully integrated labor unions in the United States. It won several strikes, with the solidarity of sympathetic small farmers, but was defeated by repression from the lumber companies which organized vigilante mobs, including the Ku Klux Klan and somewhat more “respectable” Good Citizen's Leagues, in response to the union.⁴⁸ Aiding the lumber bosses, Luther Egbert Hall, the governor of Louisiana, tacitly allowed the repression of the IWW, and this led to the union's eventual defeat and helped prolong Jim Crow racism in the south.⁴⁹ In doing so, the employers weakened the power of organized labor in the Deep South such that it would have devastating effects on the power of timber workers to organize for over three generations, but elsewhere the Wobblies flourished.

In February of that same year, various IWW lumber workers' locals in the Pacific northwest consolidated into an early attempt at a regional industrial union, based in Seattle, Washington, and helped lead a strike that began as a wildcat in the sawmills of Aberdeen, Hoquiam, and Raymond, against the ten-hour day and low wages. Only a minority of the workers were IWW members, but the strike was partially successful. Various strikes took place Oregon, Montana, Minnesota, and western Washington which were, again, all partially successful at modestly increasing wages, maintaining the nine-hour day, and slight improvements to camp conditions.⁵⁰

Many of these gains were made in spite of lawless repression from the employers. Many strikers were often arrested and jailed on trumped up charges, while others were dragged from their beds at night, violently assaulted, and driven away by agents of the company. Local governments were often complicit in such activities, and the press tended to blame the *IWW*, accusing the latter of creating a climate of fear and lawlessness, even though the Wobblies remained for the most part nonviolent, albeit militant and uncompromising in its anti-capitalism.⁵¹ In the face the northwestern timber bosses repression—which was no less violent than in the Deep South—the IWW proved most creative at resisting it.

⁴⁶ Rowan, op. cit.

⁴⁷ Kennedy, op. cit.

⁴⁸ Roediger, David R. ed., *Covington Hall: Labor Struggles in the Deep South & Other Writings*, Chicago, IL, Charles H. Kerr & Co., 1998.

⁴⁹ Kennedy, op. cit.

⁵⁰ Rowan, op. cit.

⁵¹ Kennedy, op. cit.

The IWW carried out much of its organizing through its effective distribution of handbills, pamphlets, and newspapers (many of which were published in multiple languages) as well as street corner oratory, better known as “soap-boxing”. This latter tactic proved to be quite effective, and in many instances the employing class sought to thwart it by any means necessary. In some cases, lumber dominated towns would pass ordinances banning soap-boxing, which the Wobblies would fight against by engaging in free speech fights, one of the most famous of these taking place in Spokane, Washington in 1909, to assert the right to practice their supposedly constitutionally guaranteed civil liberties.⁵² In this particular case, the anti soap-boxing ordinances allowed only religious organizations, such as the Salvation Army (whose preachers were known to excoriate the IWW and other “godless communists” for their “blasphemy”) to perform their hymns. The Wobblies had a good many members with a flair for music and folk song writing—including its most famous martyr, Joe Hill—and they would often turn up at these free speech fights performing the Salvation Army songs with new lyrics “rewritten so they made more sense,” with a distinct class struggle orientation.⁵³ From these fights and the publication of song sheets with red covers to raise funds for various organizing campaigns, the IWW’s very famous Little Red Songbook was born, and the Wobblies became known as “the Singing Union.”⁵⁴

The IWW’s free speech fights were legendary and powerful, sometimes even to the point where they could turn back the tide of the bosses’ repression. In some cases, like Spokane, the IWW would call upon its members to “fill the jails” in order to cost the employers and their compliant governments as much money as possible, thereby rendering political repression prohibitively expensive. These tactics sometimes even proved effective at turning local merchants against the timber companies and gaining sympathy for the union.⁵⁵ The Wobblies are still remembered today, most generally for colorful tactics such as these, but such romantic accounts usually neglect to mention that even these things, by themselves, are not the IWW’s true mark upon history.

The Wobblies antics helped spread its reputation and increase its influence among sympathetic workers, but they hadn’t yet built the organized economic power at the point of production, which was the goal its founders originally sought. Certainly, the IWW’s agitation among the lumber towns of the region brought about small gains and small scale reforms, but this was only the beginning of what was needed. In most cases, the IWW was little more than an organized minority of the membership involved in these struggles, though it often played crucial leadership roles in them and many of the timber workers were sympathetic to the Wobblies. If nothing else, their fights demonstrated the power of effective organization and the futility of the craft unionism

⁵² Detailed in Duda, John, ed. *Wanted: Men to Fill the Jails of Spokane!*, Fighting for Free Speech with the Hobo Agitators of the I.W.W., Chicago, IL, Charles H Kerr & Co., © 2009.

⁵³ Phillips, op. cit.

⁵⁴ Green, Archie, et. al. ed., *The Big Red Songbook*, Chicago, IL, Charles H Kerr & Co., © 2007

⁵⁵ Duda, op. cit.

of the AFL.⁵⁶ To their credit, the organizers of the One Big Union recognized that limited struggles and organization were not enough to achieve lasting victory, and being “democratic to a fault” as their more centralist socialist competitors often labeled them, the Wobblies debated and discussed the strengths and weaknesses of their strategies and tactics constantly. The urgency of their efforts was well warranted, because the power of the lumber trust continued to grow, often with the help of the United States government.

* * * * *

As the timber barons logged out their private holdings, they began to encroach upon the lands that had been supposedly set aside in the public trust. Ironically, one year after he had successfully fought off the Sierra Club’s challenge to Hetch Hetchy, Gifford Pinchot found himself in John Muir’s shoes. In 1908, President Taft had replaced his predecessor’s Secretary of the Interior, James Rudolph Garfield—the son of President James Garfield and a staunch conservationist—with former Seattle Mayor, Richard Ballinger. The new secretary shared neither Muir’s strict preservationist nor Pinchot’s pragmatic multiple use conservationist views on wilderness, and proposed opening them up to unfettered resource extraction. While Pinchot was opposed to a complete prohibition of logging in the national forests, he still believed that public timber should be sold only to small, family-run logging outfits, not corporations. Pinchot had envisioned a “working forest” for working people and small scale logging at the edge, preservation at the core. After a scandal in which Pinchot accused Ballinger of graft, specifically that the latter was enabling the exploitation of federal lands by private enterprise illegally, Taft dismissed Pinchot in 1910 and left the USFS under the direction of Pinchot’s protégé, William Greely.⁵⁷

The contrast between Pinchot and Greely could be seen immediately. After a year of devastating forest fires in 1910, Greely, a deeply religious man, became obsessed with the prevention of them, and he claimed that the fires were the wrath of “Satan.” Under his watch, the forest service became primarily a fire department, and he accepted the prescription of the timber barons who argued that clearcut logging was the best preventive measure against them. As a result, Greely allowed the lumber trust to log public lands for private profit, and Pinchot’s well intentioned policies were scuttled. Upon seeing the results, Pinchot lamented, “So this is what saving the trees was all about. Absolute devastation. *The Forest Service should absolutely declare against clear-cutting in Washington and Oregon as a defensive measure.*”⁵⁸ His warnings went unheeded, however.

Conservation organizations, such as the Sierra Club, protested the wholesale destruction of the forests, but by this time, among labor unions, the IWW was one of

⁵⁶ Kennedy, op. cit.

⁵⁷ John T. Gano, “Some Constitutional and Political Aspects of the Ballinger-Pinchot Controversy”, *The Pacific Historical Review*, 3 (3) (September 1934), page 323.

⁵⁸ Egan, Timothy, *The Big Burn: Teddy Roosevelt & the Fire That Saved America*, New York, NY, Houghton Mifflin Harcourt, 2008, page 281. Emphasis added.

the few to likewise echo the environmentalists' warnings. During Greely's tenure, the IWW's many periodicals published articles and editorials warning of the threat to the long term sustainability of the great forests of the Pacific Northwest at the hands of the greedy lumber trust who was mowing them down all for the sake of profit and greed. One article from this time "denounced the 'totally destructive' character of then-current methods of reforestation, and pointed out that under the administration of workers' self-management that the IWW proposed, such thoughtless destruction would be inconceivable." Another "called for immediate 'conservation action' to stop the lumber companies' 'criminal and wholly unnecessary wastage' of forests: 'Nothing but mute stumps over thousands of acres...Where is it going to end?'"⁵⁹ However, criticism of Corporate Timber's rapacious logging wasn't limited to environmentalists, the IWW, or progressive officials. Even some former lumber barons themselves began to lament the monster they had spawned. For example, in 1912, E. C. Williams, who had been one of the four original founders of the first commercial sawmill in Mendocino County on the coast observed the effects of clearcutting and bemoaned the destruction to the local environment he witnessed firsthand.⁶⁰

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Even though the power of the timber corporations grew, the IWW grew in opposition to it, but they still lacked a viable organizational model necessary advance their struggle to the next level. That would soon change. In 1915, the IWW's Agricultural Workers Organization (AWO), provided the inspiration and organizational type that the timber workers needed. The AWO was the IWW's first *true* industrial union, with branches rather than autonomous locals, and a roving delegate system—which allowed the union to initiate and organize workers at the jobsite or in transit to it (which was often achieved by means of "riding the rails", out of economic necessity, hence the IWW's cultural association with hoboes). The AWO organized on the job and proved most effective, growing to perhaps over 100,000 members at one point before the introduction of the combine facilitated the rapid automation of harvest work and resulted in the AWO's eventual decline by the early 1920s. The IWW did not decline overall, however, and much of the efforts that went into building the AWO were instead channeled into organizing industrial unions in other industries, including timber. Since harvests were seasonal, some of these harvest workers also went to work in the woods and brought the AWO's organizing methods along with them.⁶¹

The efforts bore fruit almost overnight. In the autumn of 1916, approximately 5,000 IWW lumbermen who were part of the by then 22,000 strong AWO, voted to form their own, similarly structured Lumber Workers Industrial Union (LWIU).⁶² The LWIU aimed to organize all the workers in the lumber camps and sawmills and to win the eight-hour day, and by so doing abolish unemployment in the lumber industry, thereby

⁵⁹ "Earth First!ers, Meet the IWW", by x322339, *Industrial Worker*, May 1988.

⁶⁰ Bartley and Yoneda, op. cit.

⁶¹ Rowan, op. cit.

⁶² Rowan, op. cit.

making it impossible for the employers to discriminate by its use of blacklists and job sharks against the active workers and to protect each worker on their job.⁶³ Once formed, the LWIU immediately launched a campaign to organize all workers in that industry throughout the Pacific Northwest, which they attempted in spite of increasing efforts at repression by the lumber companies and the compliant governments of the region, including the infamous Everett Massacre which took place on November 5, 1916, in which five Wobblies were murdered by police and many others wounded.⁶⁴

The capitalists' fear was based on the very real threat that the IWW might win and take over the means of production, at least in the agricultural and lumber industries. The employers' backlash only strengthened the LWIU's resolve and faced with an ever increasingly militant workforce, the lumber corporations turned to the state governments to maintain their economic grip on the Pacific Northwest. A number of states, starting with Idaho, on March 14, 1917, passed "Criminal Syndicalism" laws which were ostensibly intended to fight those who advocated "crime, sabotage, violence, or unlawful methods of terrorism as a means of accomplishing industrial or political reform," which for all intents and purposes meant the IWW. The Wobblies, of course, did none of these things, but the timber barons spread no shortage of falsehoods and innuendos suggesting otherwise, which was dutifully parroted by the capitalist press. The other states of the Pacific Northwest soon passed similar "Criminal Syndicalism" and "Criminal Anarchy" laws.⁶⁵ California was no exception, passing their version in 1919, which was used specifically to try and thwart the efforts of IWW members to organize lumber workers, such as Oscar Erickson who was tried twice and acquitted by a hung jury in the Mendocino County town of Ukiah in 1924.⁶⁶

Still the IWW continued to organize more or less undaunted. In the Spring of 1917, the union announced plans for a strike centered in, but not limited to, northwestern Washington for various demands, including clean bunkhouses with mattresses; table and chairs; 8 hours work with no work on Sunday and Christmas; a living wage of \$60 per month; no discrimination; free hospital service; and hiring from a union hall.⁶⁷ The AFL's various timber and sawmill workers' locals also voted, independently, to strike for the eight hour day, no doubt influenced by the IWW's call, hoping to prevent their own thunder from being stolen.⁶⁸ In response to the strike call, the employers formed an association known as the Lumbermen's Protective Association (LPA) to protect their interests and resist the strike in concert.⁶⁹ The strike began in the lumber camps and

⁶³ "Lumber Workers: You Need Organization", op. cit.

⁶⁴ Detailed in Smith, Walker C., *The Everett Massacre, a History of Class Struggle in the Lumber Industry*, Chicago, IL, IWW Publishing Bureau, 1917.

⁶⁵ Rowan, op. cit.

⁶⁶ Bartley and Yoneda, op. cit.

⁶⁷ "The Dawning of a New Day", by Roanne Withers, *Industrial Worker*, July 1990.

⁶⁸ Todes, Charlotte, *Labor and Lumber*, New York, NY, International Publishers, © 1931, pages 163-64.

⁶⁹ "Lumber Workers: You Need Organization", op. cit.

rapidly spread to the rest of Washington, Idaho, and Montana and several sawmills. The sheer lack of timber caused those camps and mills that hadn't joined the strike to halt production anyway.⁷⁰

The lumber barons had never faced a near total loss of control such as this before, and they used every means of they could at their disposal. Sometimes they appealed to the strikers on nationalistic grounds, but they still couldn't recruit anywhere near enough strike breaking scabs to even create the pretense of production. Moses Alexander, the governor of Idaho, who was sympathetic to the lumber bosses, toured the lumber camps of his state appealing to the strikers' "patriotism" to try and end the strike, but they wouldn't budge. More often than not, however, the employing class turned to repression. Armed thugs harassed strikers. Spies working undercover attempted to undermine the strike by causing dissension and disruption from within its ranks. Law enforcement agents subservient to the lumber trust arrested and jailed hundreds of strikers, including those perceived to be its "leaders". The press editorialized against the strike and its organizers, even in some cases spreading false information such as claiming the strike had ended, when it hadn't. Vigilante mobs stirred up by the lumber companies and anti union propaganda attacked and sometimes destroyed IWW halls. In Troy, Montana, one jailed striker was burned to death.⁷¹

In most cases, the LPA directed most of these efforts, sometimes overtly, but often under the cover of "law and order" and "patriotism", a matter of great concern since the United States had entered World War I by this time. One lie in particular, spread by the LPA in the late summer and fall of 1917, was that the strike had been covertly instigated and financed to the tune of \$100,000 per month by German agents, including particularly Kaiser Wilhelm himself, seeking to obstruct the harvesting of spruce being used by the United States government to manufacture war planes. This claim was demonstrably false. The summer had been especially dry throughout the region, and striking IWW members had joined firefighting crews—and sometimes, being the most experienced woodsmen, served as foremen, saving millions of dollars of standing timber, including spruce. In Missoula, Montana, fire fighters had been hired directly by the government from IWW hiring halls, and the sworn testimony of the US Government states that the strikers had been not just helpful, but *absolutely essential* to the firefighting efforts, saving millions of acres of forests, including spruce. The US fire Warden repeatedly described the Wobblies serving on his crews as "the most efficient and reliable men he ever had." Yet this detail went unreported by the capitalist press.⁷²

In fact, the employers' claim about Spruce was actually a cover story to distract attention away from their own graft. Another detail that escaped their attention was the fact that very little spruce, which grows primarily in Oregon, was affected by the strike, and the strike didn't involve much of that state.⁷³ The press also ignored the

⁷⁰ Kennedy, op. cit.

⁷¹ Kennedy, op. cit.

⁷² Rowan, op. cit.

⁷³ Rowan, op. cit.

fact that the lumber magnates deliberately held back spruce production to discredit the strikers.⁷⁴ The *Spokane Press* did report that before the war, the price of spruce had been \$16 per thousand feet, but during the war, the price rose to *at least* \$116, and sometimes as much as \$650. Further investigations by the *Seattle Union Record* revealed that this price increase was a case of deliberate gouging by the timber corporations. The Woodrow Wilson administration even admitted that the accusation against the IWW was a bald faced lie, because Secretary of War, Newton D. Baker expressly requested that the lumber trust grant the eight-hour day, but his demands were ignored.⁷⁵

That's not to suggest, however, that the IWW never provided their adversaries with the ammunition that the latter in turn used against the union. For several years, the Wobblies had advocated *ca'canny*, which they often also described as "sabotage", as a tactic to advance its collective struggles at the point of production, but to the IWW and the employing class this meant entirely different things. To the Wobblies it meant the conscious and collective withdrawal of efficiency at the point of production, such as an entire work crew, shop, or even industry working more slowly or inefficiently to slow down the pace of work, thus impacting the employers' bottom line and improving their working conditions. In other words, it was an economic strategy intended for the working class to use as a tool to gain the upper hand. Sabotage described thusly in detail had been made most famous by IWW organizers Walker C. Smith⁷⁶, and Elizabeth Gurley Flynn⁷⁷.

To the employing class, however, sabotage meant the wanton destruction of property, or at least it was framed this way, and this misconception was used to further discredit the Wobblies. Members debated the issue, and the consensus was that the tactic of collectively withdrawing efficiency at the point of production itself was justifiable, but the term "sabotage" represented a ball and chain that the employers could shackle to the organization thus undermining its reputation among the working class.⁷⁸ IWW member Ralph Chaplin, facing "criminal syndicalism" charges later recalled:

The prosecution used the historic meaning of the word to prove that we drove spikes into logs, copper tacks into fruit trees, and practiced all manner of arson, dynamiting and wanton destruction. Thanks to our own careless use of the word, the prosecution's case seemed plausible to the jury and the public."⁷⁹

⁷⁴ Kennedy, op. cit.

⁷⁵ Rowan, op. cit.

⁷⁶ Smith, Walker C., *Sabotage: Its History, Philosophy & Function*, Chicago, IL, Industrial Workers of the World, 1913.

⁷⁷ Flynn, Elizabeth G., *Sabotage: the Conscious Withdrawal of the Workers' Industrial Efficiency*, Chicago, IL, Industrial Workers of the World, 1916.

⁷⁸ Foner, Philip S. *History of the Labor Movement in the United States, Volume VII: Labor and World War I 1914-1918*, New York, NY, International Publishers, 1987, pages 246-63.

⁷⁹ Chaplin, Ralph, *Wobbly: The Rough and Tumble Story of an American Radical*, Chicago, University of Chicago Press, 1948.

The lies spread by the timber bosses brought about increased repression and vigilante mob activity, but still the strikers stood their ground. There was only one problem that stood in their way, and that was the lack of funds to sustain a prolonged strike, and the employers were stubbornly refusing to give in for fear that the IWW would continue to gain control over the lumber industry and spark a political and economic revolution. Over time, the bosses would find a way to eventually recruit enough scabs to replace the strikers permanently. Some farsighted Wobblies recognized this threat and began advocating that the IWW transfer the strike to the job itself. The union would appear to end the strike, but while back on the job, the loggers and mill workers would engage in various forms of (non destructive) sabotage at the point of production (though, of course, now they didn't refer to such actions as sabotage). The workers would be paid in wages and in meals, but they would have just as much, if not a greater economic impact. This would also make it harder for the employers to hire scabs.⁸⁰

By the middle of September 1917, the strike ostensibly ended, and the press spun it as a victory for the lumber bosses, but while back in the camps, the workers slowed their pace considerably. Instead of working ten hours, the crews would collectively cease work after eight. Although the employers would usually fire the entire crew on the spot, and hire a new crew a few days later. The latter being just as sympathetic to the goals of the IWW, however, would repeat the actions again. Meanwhile the first crew was duplicating these efforts elsewhere, as well as they could manage. The bosses could not defeat this "strike" by the workers' starvation or attrition. Authorities could not single out and arrest the "leaders" because there was no way to identify who they were, and even when they tried, the arrests only further fanned the flames of the timber workers discontent. The employers could also not afford to organize a "general lockout", because there was a high demand for lumber due to the prolonged conventional strike that had preceded the new "strike on the job", and they had crowed so loudly about the disruption to spruce production. The IWW's direct action at the point of production persisted throughout the winter. The employers were—temporarily at least—confounded.⁸¹

The timber corporations found a temporary solution due to a fortuitous circumstance. The US Government had placed Colonel Brice Disque in charge of spruce production on behalf of the war department. The colonel happened to be sympathetic to the LPA, and at their behest, he agreed to work with them to "stabilize the lumber industry" which meant undermining the IWW.⁸² Disque began this task by creating a company union called the Loyal Legion of Loggers and Lumbermen (LLLL). Many of the lumber workers, particularly IWW members, referred to the new so-called union as "Little Loyalty and Loot", though they often joined it anyway.⁸³ Disque made appeals to the workers' sense of "patriotism," but he didn't just stop there. If the Colonel

⁸⁰ Kennedy, op. cit.

⁸¹ Kennedy, op. cit.

⁸² Garner, op. cit.

⁸³ Rowan, op. cit.

couldn't persuade the workers to join, he would force them to do so by dispatching his soldiers to work in the lumber camps. Disque ostensibly did this to aid in spruce production, but most of the soldiers were placed in logging camps that had nothing to do with the harvesting and production of it.⁸⁴ Membership in the LLLL was effectively compulsory, and those that refused it were accused of being German spies and traitors, fired, and beaten by soldiers under the Colonel's command. At least one man who spoke out against the LLLL was found dead by hanging the next morning.⁸⁵ It was clearly obvious that Disque's actual purpose was the quashing of the Wobblies' strike on the job.

The lumber companies in their insatiable greed sabotaged themselves, however. Not content with reining in the IWW, they took advantage of the soldiers as well, and the latter responded by adopting the Wobblies' slowdown tactics. The employers were once again paralyzed. There was little choice left to the LPA but to concede defeat. To great fanfare, on March 1, 1918 Colonel Disque issued a statement on behalf of the timber corporations making the eight hour day official.⁸⁶ The bosses, their press, and many historians, including historian Robert L. Tyler, who wrote a fairly extensive account about the IWW's struggles in the woods, have assigned credit for this victory to everyone but the Wobblies.⁸⁷ The IWW, on the other hand, never hesitated to claim credit where they believed it was due:

This was one of the most successful strikes in the history of the labor movement. The efficacy of the tactics used is further emphasized by the fact that it was directed against one of the most powerful combinations of capital in the world. Two hours had been cut from the work day. Wages had been raised. Bath houses, wash houses and drying rooms had been installed. The companies were forced to furnish bedding. Old-fashioned, unsanitary bunk-houses were displaced by small, clean, well lighted and ventilated ones. Instead of bunks filled with dirty hay, beds, clean mattresses, blankets, sheets and pillows changed weekly were furnished. The food was improved a hundred per cent. In short, practically all demands were won.

The lumber barons claimed they had granted these concessions 'voluntarily' 'for patriotic reasons.' In reality, they had granted nothing. All they had

⁸⁴ Kennedy, op. cit.

⁸⁵ Rowan, op. cit.

⁸⁶ Kennedy, op. cit.

⁸⁷ Tyler, Robert, *Rebels of the Woods: The IWW in the Pacific Northwest*, Eugene, University of Oregon Books, 1967, pages 85-111. Tyler's assessment of the situation is *extremely* dubious, if not intellectually dishonest. He argued that the class collaborationism of the LLLL won the eight hour day based on the later decline of the IWW—ignoring the various factors that lead to the latter, all the while refusing to acknowledge that the LLLL would never have been created in the *first place* if it weren't for the class struggle oriented unionism of the IWW. Tyler also admits that the LLLL all but disintegrated a few years after its formation, and yet he argued that the workers favored the latter's class collaborationism. Such a contradiction cannot honestly be reconciled.

done was to bow to the inevitable, and officially recognize the eight-hour day after the lumber workers had taken it by direct action. The LLLL also claimed credit for the victory. This was the joke of the season. A skunk might as well claim credit for the perfume of a flower garden, after having failed to pollute it. At the present writing there is scarcely a trace left of the LLLL. The last feeble squeal heard from this conglomeration of boss-lovers was when they went on record in Portland as favoring a reduction of wages.”⁸⁸

For the first time ever, the power of the lumber trust had been effectively counterbalanced, and the bosses were deeply concerned that the IWW would gain the upper hand. No doubt the employers also worried that the Wobblies’ concern for the environment might draw support from their conservationist critics. A mass based, populist workers movement could, just possibly, bring about the very revolution the socialists and IWW sought to incite, and put an end to the robber barons’ reign. The implications were staggering and as far as the bosses were concerned, something had to be done. The IWW was well aware of this and readied themselves to complete “the historic mission of the working class.” History, however, took several unforeseen turns, and—much to the lumber trust’s relief—the Wobblies vision would be indefinitely delayed.

⁸⁸ Kennedy, *op. cit.*

2. Pollution, Love it or Leave it!

"Since when are humans solely a biological product of wilderness? (What is 'wilderness'?) If you accept an evolutionary development of *Homo sapiens*, as I do, it does not mean that you profess a disbelief in God. Quite the contrary. It was God, the Creator, who created humans, who imbued them with a will, with a soul, with a conscience, with the ability to determine right from wrong. It is inconceivable that the Creator would create such vast resources on earth without expecting them to be utilized."

—Glenn Simmons, editor of the *Humboldt Beacon and Fortuna Advance*, February 1, 1990.

"Growth for the sake of growth is the ideology of the cancer cell.

—Edward Abbey

Earth shattering though it may have seemed, the IWW's victory was both transitory and incomplete, and historical currents would never again mesh as perfectly. To begin with, the strike on the job had taken place only in the Pacific Northwest, and had excluded California at that. The Wobblies recognized one strategic weakness in this situation in noting that the employers could have eventually organized a lockout of that region and relied instead on wood production from the southern or eastern United States. They knew—in the abstract at least—that their victory would never be complete until they organized all lumber workers nationally and internationally.¹ The Wobblies inability to make inroads among the highly skilled redwood loggers of California's North Coast was especially troublesome, and it portended their undoing. Two companies, Pacific Lumber (P-L) and Hammond Lumber Company (HLC) had each adopted separate techniques that had kept the IWW out and would soon be duplicated by the Lumber Trust elsewhere. That combined with the much larger shockwaves brought on by the Russian Revolution in 1917 conspired against the One Big Union and led to the eventual decline of the American working class as an adversarial force and the liquidation of the forests of the Pacific Northwest.

Although most corporations comprising the Lumber Trust had refused to budge, lest they embolden the Wobblies, there were those that adopted "welfare capitalism" on their own initiative, in which they would provide amenities and benefits to their

¹ Rowan, James: *The IWW in the Lumber Industry*, Chicago, IL, Industrial Workers of the World, 1922.

workers—union or not—in an attempt to win over their loyalty. It was in the crucible of timber worker unionism, Humboldt County, where this was first attempted with any lasting success, by the Pacific Lumber Company (P-L), based in Scotia, beginning in 1909. P-L had discovered that by creating a wide variety of social programs, employee benefits, and community based events, it was able to secure the loyalty and stability of its workforce. P-L general manager A. E. Blockinger described these efforts in great detail in an article featured in the *Pioneer Western Lumberman*:

"A reading room with facilities for letter writing and any games, except gambling, is easily and cheaply put into any camp. Arrange subscription clubs for papers and periodicals or let the company do it for the men. If you can have a circulating library among your camps and at the mill plant, it will be much appreciated. Let the daily or weekly papers be of all nationalities as represented in your camp. Lumber trade journals are especially interesting to the men and they can and will readily follow the markets for lumber and appreciate that you have some troubles of your own.

"Organize fire departments among your men. The insurance companies will give you reductions in rates for such additional protection while it offers another opportunity for your men to relax and enjoy themselves.

"Shower baths at the camps or mill are easily and cheaply installed. They will be used and appreciated after a hot, dusty day's work.

"Get your men loyal and keep them so. *Let this replace loyalty to a union.* The spirit is what you want in your men. Ten good men will accomplish as much as fifteen ordinary laborers if the spirit and good will is there. Treat them right and they will treat you right."²

The employers' introduction of paternalism achieved its intended goal. The Secretary of the Pacific Logging Congress, an employers' association had declared in his 1912 report, "The best cure for the IWW plague—a people without a country and without a God—is the cultivation of the homing instinct in men."³ When the IWW campaign for the eight hour day ensued in 1917, P-L simply added more programs. Carleton H. Parker, a onetime U.C. Berkeley economics professor working for the War Department as a mediator during the lumber workers' strike, had previously conducted sociological studies on workers, including agricultural and timber laborers. Parker was familiar with P-L, and had some fairly extensive knowledge of the Wobblies.⁴ Some

² Article by A. E. Blockinger, *Pioneer Western Lumberman*, #56, July 15, 1911, quoted in Cornford, op. cit.

³ Proceedings of the Fourth Annual Session, Pacific Logging Conference, 1912, page 5.

⁴ Parker, Carlton H., *The Casual Laborer and Other Essays*, New York, NY, Harcourt, Brace, and Howe, inc., 1920.

of the latter had been gained through first-hand studies by two of his assistants, Paul Brissenden⁵ and F. C. Mills⁶ who had posed as IWW members and later produced extensive studies on the organization. Using this knowledge, Parker offered many suggestions to Disque which the latter somewhat reluctantly adopted. The LLLL created social halls for its members and replaced the employment sharks with free employment agencies. The IWW quite rightly recognized these amenities as a means to buy the workers' loyalty and likely to be liquidated when the employers drive for profits once again accelerated, but this process would take a long time, and convincing the workers of a threat that could take one or more generations to manifest proved futile.⁷

The Hammond Lumber Company of Eureka offered another, less altruistic, but similarly effective answer to the IWW. HLC began the experiment in 1913 by establishing a production bonus system, whereby workers in various departments within the company would be paid an additional fee, instead of an hourly wage, for meeting or beating a production quota.⁸ The bonus was paid to the entire department and the system had the advantage of both increasing production and undermining class solidarity. Over time, employers expanded and developed the concept to the point where entire logging and milling operations could be contracted out to subcontractors.⁹ Under this model, a contract logging or "gyppo" logging company would competitively bid against other similar firms to take an area of standing timber and deliver saw logs to a mill. Work was paid by the board foot, not by the hour, thus creating an incentive for lumber workers to compete with their fellows in cutthroat competition rather than build class solidarity.¹⁰ The employers made little secret of the fact that they had created the gyppo system specifically to undermine unionism, in particular the IWW.¹¹ By 1919, Weyerhaeuser had a highly developed gyppo system in place in mills and logging

⁵ Brissenden, Paul F., *The IWW: A Study in American Syndicalism*, New York, NY, Columbia University Press, Russell & Russell, Inc., (Second Edition), 1957. Brissenden's study is surprisingly sympathetic to the IWW.

⁶ Woirol, Gregory, *In the Floating Army: F.C. Mills on Itinerant Life in California, 1914*, Urbana, IL, University of Illinois Press, 1992.

⁷ Tyler, Robert, *Rebels of the Woods: The IWW in the Pacific Northwest*, Eugene, University of Oregon Books, 1967, pages 85-111.

⁸ Cornford, Daniel, *Workers and Dissent in the Redwood Empire*, Philadelphia, PA, Temple University Press, © 1987, pages 193-199.

⁹ Kennedy, James, *The Lumber Industry and its Workers*, Second Edition, Chicago, IL, Industrial Workers of the World, 1922.

¹⁰ "Kenneth O. Smith and Walter Smith: Gyppo Partners, Pacific Coast Timber Harvesting", Interviewed by Beth Bosk, *New Settler Interview*, Issue #21, June 1987. The term "gyppo" unfortunately has its origins in the word "gypsy", including the latter's racist overtones. It no doubt derives from the tendencies of these contract logging firms to move from job to job. In spite of the less than appropriate origins of the term, it was widely used even in Judi Bari's time.

¹¹ "Lumber Workers: You Need Organization", leaflet by the IWW's Lumber Workers Industrial Union 120, ca. 1927.

camps in Idaho involving over 4,000 workers.¹² Again, the IWW recognized this as a direct attack on their organization, and was already taking steps to counteract it when unexpected turns of history thwarted their progress still further.¹³

The Russian Revolution of 1917 had brought about the ascendancy of Bolshevism, and though the IWW was neither affiliated with nor completely politically aligned with the Communism of the Third International, the latter nevertheless dictated events which affected the Wobblies. Already IWW members had faced repression from the bosses, been sentenced to prison terms or execution by judges ruling in favor of trumped up charges of “Criminal Syndicalism”, or even murder by vigilantes. After World War I, using the pretext of the “threat” of the spread of the Russian Revolution of 1917 to the US, Attorney General A. Mitchel Palmer conducted a reign of terror against domestic radicals known as the “red scare”. Palmer established what was to become the Federal Bureau of Investigation (FBI) and carried out much of his work in close cooperation with employers and with the American Legion, which was used as a vigilante force. Palmer chose as the head of this new security agency his young, reactionary protégé, a rabid anticommunist by the name of J. Edgar Hoover. Although the FBI was advertised as a law enforcement agency, it functioned—in practice—as bulwark against anti-capitalism and popular democracy. The red scare began in 1919 and climaxed when over 10,000 American workers, aliens and citizens, most of them trade union organizers, were arrested on January 1, 1920.¹⁴

The IWW was the main target of these raids. The employing class was largely the power behind these waves of repression, and they successfully whipped up vigilante mob hysteria against the IWW and other radicals. One of its most bloody expressions was the Centralia Massacre, which took place on Armistice Day, November 11th, 1919. On that day, a parade of American Legion members and other so-called “patriots” held a march through town. At the parade’s conclusion the crowd stopped in front of the local IWW Hall, which it had deliberately chosen to provoke a confrontation. With their ropes ready for a lynching the mob rushed the hall and started dismantling it. Having been subjected to previous incidents of mob violence already, the IWW members this time chose to defend themselves. A firefight ensued. Several of the assailants were killed by the Wobblies in self defense as evidence later clearly demonstrated. However the mob persisted and lynched several IWW members, including World War I veteran Wesley Everest in cold blood. In what could only be called a mockery of justice, however, it was the IWW members who were convicted of murder, many of whom were given life sentences.¹⁵

¹² Todes, Charlotte, *Labor and Lumber*, New York, NY, International Publishers, © 1931, pages 163-64.

¹³ Kennedy, op. cit.

¹⁴ “The IWW and the IWA: The Struggle for Radical Unionism in the Northwest”, by Troy Laried Garner, *Ecology Center Newsletter*, September 1990.

¹⁵ Chaplin, Ralph, *The Centralia Conspiracy*, Chicago, IL, Charles H. Kerr & Co, 1919

Yet, the IWW's decline was due as much schisms within the left as much as it was from repression from the right. The rise of Bolshevism caused division within the IWW's ranks.¹⁶ To some, the Soviet Union represented the "dictatorship of the proletariat" envisioned by Marx and Engels, as well as the ultimate goal of the IWW.¹⁷ To their harshest critics, in stark contrast to the steadfastly and uncompromisingly revolutionary IWW, the Communists by contrast were opportunistic and Machiavellian to the point of making a mockery of that same vision. The debate only deepened when, in 1921, the Soviet affiliated Red Trade Union International (RTUI) invited the Wobblies to join it, but stipulated that in doing so the IWW must not interfere with the jurisdiction of other unions, including the AFL (whether or not the latter engaged collaboration with the employing class).¹⁸

The crux of the debate centered on strategy with ideological differences representing the less obvious underpinnings. The RTUI delegates declared specifically, "If the IWW is to be a real factor in the Labor Movement, it must change its attitude towards other Labor Unions."¹⁹ The Wobblies officially rejected the overtures responding that the RTUI's demands essentially meant that "The IWW must cease to *be* the IWW."²⁰ In spite of this, a great many rank and file members chose to follow the Communists anyway.²¹ Further internal debates over the advantages of largely theatrical tactics, such as soapboxing and free speech fights versus striking on the job had raged since the events in Spokane, culminating in a devastating and complex internal split in 1924, with the splinter faction being lead by LWIU leader James Rowan among others.²² While the IWW struggled with its identity, the Communists eclipsed them as the dominant working class political force on the left in the United States and Canada, and the Wobblies presence in the lumber camps declined.

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¹⁶ Thompson, Fred, and Jon Bekken, *The Industrial Workers of the World: It's First 100 Years, 1905-2005*, Cincinnati, OH, Industrial Workers of the World, © 2006, pages 1-16.

¹⁷ Scribner, Tom, *Lumberjack*, 1966.

¹⁸ Latchem, E. W., et. al, *The IWW Reply to the Red Trade Union International*, Chicago, IL, Industrial Workers of the World, November 15, 1922.

¹⁹ "To the I.W.W., A Special Message from the Communist International", by Guido Baracchi and Percy Laidler, Proletarian Publishing Association, Melbourne, 1920.

²⁰ Latchem, E. W., et. al, *The IWW Reply to the Red Trade Union International*, Chicago, IL, Industrial Workers of the World, November 15, 1922.

²¹ See for example, "The IWW", by James Cannon, *Fourth International*, Summer 1955; De Caux, Len, *The Living Spirit of the Wobblies*, New York, NY, International Publishers, 1978; Gurley-Flynn, Elizabeth, *The Rebel Girl: An Autobiography, My First Life (1905-1926)*, New York, NY, International Publishers, 1955; and Scribner, Tom, *Lumberjack*, unpublished manuscript, 1966, available at this site. These publications are biased from a Stalinist (or Stalinist-turned-Trotskyist) perspective, but they are examples of many personal accounts of IWW members having left the organization for what they thought was a more stable and viable tendency in Communism. Ironically the course of history has proven them wrong, but not in their lifetimes.

²² Thomspson and Bekken, op. cit., pages 1-16

Meanwhile, after over a century of their unchecked liquidation, environmentalists (all of their faults and class biases notwithstanding) finally began to make inroads to the preservation of the California ancient redwoods. By 1917, almost two thirds of them had been clearcut, but since almost all of these exceptionally valuable forestlands were privately held, even the meager protections offered by the USFS didn't apply. That year, conservationists John C. Merriam, Madison Grant, Fairfield Osborn, and Frederick Russell Burnham founded the Save the Redwoods League (STRL), and immediately initiated efforts to preserve the most scenic groves along the route which would become US Highway 101, which would open up the remote North Coast region to automobile traffic and increasingly easy transportation of the valuable trees out of the area. Their efforts were successful, and they even convinced the Pacific Lumber Company to adopt sustainable logging methods under its sympathetic president, Albert S. Murphy.²³ Over the course of the 1920s, STRL helped preserve the groves that would eventually comprise Redwood National Park north of Arcata and Humboldt Redwoods State Park between Garberville and Scotia.²⁴ Still, such efforts were isolated exceptions. By 1922, the other timber companies began to realize that the supply of easily accessible redwoods was rapidly declining, and so they began attempting to replant them, only to discover that this did not work. For a time, logging companies in the redwood regions switched to selective logging practices.²⁵ Elsewhere, however, clearcut logging on private and public lands intensified.

As they had with Spruce in 1916, the large timber companies limited their competition and kept prices artificially high by holding back timber from the market. By the late 1920s, however, due to a glut of this overstocked timber, the lumber companies faced a crisis.²⁶ The Great Depression hit the logging and lumber industries very hard, especially in northwestern California, where by 1931 only three mills were operating in Humboldt County.²⁷ The Lumber Trust responded to this situation by encouraging the federal government to add billions of additional board feet of "standing timber" to be added to the national forests, including as much as 150 bbf in 1933 alone, to be harvested on a sustained-yield basis. By doing so, the capitalists further limited the timber supply on the market and kept prices high for their own timber.²⁸ Each of these actions increased market pressures to cut more lumber more widely and rapidly.

²³ <http://www.savetheredwoods.org/league/mission.php#.UKlEOmejXAEfamily:>>

²⁴ Schrepfer, Susan R., *The Fight to Save the Redwoods: A History of Environmental Reform, 1917-1978*. Madison: The University of Wisconsin Press, 1983, page 130-85.

²⁵ "Redwood Summer, an Issues Primer", by Bill Meyers, *Ideas & Action*, Fall 1990.

²⁶ 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".

²⁷ Howard Brett Melendy, "100 Years of Redwood Lumber Industry", unpublished Ph.D. dissertation, University of California, 1952), 208.

²⁸ Foster, op. cit., "Part 3 - Monopoly Capital and Environmental Degradation: The Case of the Forest".

To make matters worse, new technology, specifically gasoline powered chainsaws and tractors were introduced in the early 1930s. Trees that hitherto took as much as a week to cut could now be felled within minutes. This new wave of automation brought about further liquidation of the ancient redwoods as well as a reduction in the workforce and increased exploitation of the timber workers.²⁹

* * * * *

The hardship experienced by all American and European workers during the Great Depression, coupled with the apparent avoidance of such hardships in the Soviet Union sowed the seeds for a revival of rank and file workplace radicalism. The IWW had succeeded, at the very least, in introducing the concepts of industrial unionism, direct action at the point of production, and the general strike into the labor movement, and these tactics were used to great affect by left leaning dissidents within the AFL, many of whom also carried IWW cards or had done so in the past. The 1934 West Coast General Strike among the longshoremen inspired similar attempts at militant unionism among lumber workers the following year.³⁰ In 1935 a general strike among lumber workers took place in California, Oregon, and Washington over the issue of collective bargaining. The Great Strike, as it was called, took place from May to July and involved 22,000 workers at its height.³¹

“The Depression brought a sharp decline to the redwood lumber industry. Layoffs were common and workers suffered a 10 percent wage reduction in 1931. But by 1933 a recovery had begun in the industry, all major mills were running, and the passage of the National Industrial Recovery Act brought on a new tide of union organizing, stating that ‘employees shall have the right to organize and bargain collectively’.

“The leadership of the American Federation of Labor (AFL), facing the greatest opportunity since its inception, stood immobilized by their conservative craft union philosophy. For many years, progressive unions had argued that industry-wide organizations were the only means by which the thousands of workers in auto, steel, lumber, and other mass production industries could be organized. But the AFL leadership rejected these arguments, largely because the craft unions dominating the organization feared and distrusted the semi-skilled and unskilled workers in the major industries. When it became apparent that the progressives would split from the AFL on the issue of industry-wide organization, leadership was compelled to compromise. In the Pacific Northwest, lumber workers who previously had been rebuffed by the AFL were finally granted union charters.

²⁹ Meyers, op. cit.

³⁰ Lembecke, Jerry and William Tattam, *One Union in Wood, A Political History of the International Woodworkers of America*, New York, NY, International Publishers, 1984.

³¹ The Great Lumber Strike of Humboldt County, 1935 by Frank Onstine, portions of which were reprinted in the *Country Activist*, September 1985.

“In early 1935, the local lumber and sawmill workers union formulated demands of 50 cents an hour, a 48-hour work week, and immediate union recognition. The standard work week at that time was 60 hours. A convention of the Northwest Council of Lumber and Sawmill Workers met in Aberdeen, Washington and set its own demands of 75 cents an hour, a 30-hour week, overtime and holiday pay provisions, and union recognition. Furthermore, the Council voted to strike on May 6th if the demands were not met.”³²

One of the most pitched battles in this conflict occurred in Eureka:

“On May 11th in Eureka, the members of LSW Local 2563 voted to strike in four days unless the mill operators met with their negotiating committee. Appointed ‘picket captains’ instructed all strikers to picket peacefully within bounds of the law. The companies, with the exception of the California Barrel Company, made no response to the demands of the union. On Wednesday, May 15th, Humboldt County workers joined the general strike of the west coast lumber industry.

“The *Times* and the *Standard* both carried front page editorials attacking the forthcoming strike. The Eureka Problems Committee of the Chamber of Commerce voted to establish a ‘Committee of One Thousand’ to ‘guarantee the safety of the citizens and property owners during the strike.’ This was the precursor of the Humboldt Nationals, a secret vigilante organization. By this time, the lumber companies had decided to end the strike by any means necessary. The picketing was no more than an annoyance to most of the mills, but the closure of the docks (in solidarity) by the longshoremen posed a serious economic threat. On June 14, a group of eleven men arrived in town posing as ‘G-men’—i.e., FBI agents and immigration officers, but it was rumored that they were professional thugs. The *Standard* reported that week that, ‘[T]he Humboldt County lumber strike is in the hands of agitators and nonresident trouble-makers. Eureka Police completed at noon today their first 24 hours of open battle against illegal picketing, intimidation and hoodlum attacks on workers of local mills.’

“On the night of June 20, Local 2563 called an emergency meeting. Albin Gruhn, a young Hammond worker at the time, attended the meeting and later recalled that the decision was made to concentrate peaceful picketing at one of the mills in an effort to shut it down completely. Very early Friday morning, June 21st, the order was given for pickets to assemble at the Holmes-Eureka gate. The stage was set...”³³

³² Onstine, op. cit..

³³ Onstine, op. cit..

What happened next follows the pattern of repression experienced two decades previously by the IWW and foreshadowed the events that were to take place later.³⁴ Onstine continues:

Pickets began arriving at the main gate shortly after 6:00 a.m. There were approximately 200 strikers gathered around the entrance to the plant, and a small crowd of spectators milled on the flat above. Some of the men pulled up rotten planks from boardwalk in front of the plant and assembled a makeshift barricade across the entrance.

“‘Special officers’ Forrest Horrell and James Jenson were serving as watchmen at the main gate. Horrell later testified that one of the strikers began taunting him, daring him to start something. Another, whom Horrell later identified as Eugene Miller, a strike leader, denounced him for siding with the lumber companies and said that he, Miller, was sorry that he had ever known Horrell. Horrell ordered Miller to get off Holmes-Eureka property and then facetiously asked the strikers if they couldn’t find anything more to drag across the gate.

“Non-striking workers began to arrive almost as soon as the pickets had gathered. Confronted with the determined picketers, most simply turned around and left.

“The police began arriving soon thereafter. Close behind them came Chief of Police George Littlefield. Several witnesses, watching from the flats above, said that when the pickets stopped Littlefield’s car he climbed out, pistol in hand, and began firing into the ground, shouting, ‘Who’s going to stop me?’

“The principal trouble, however, arose from a Packard sedan. Although the pickets were not menacing the police at this point, someone in the car fired a tear gas canister into the crowd. The shell made a direct hit on a woman picketer, Jerrine Canarri, and knocked her to the ground.”³⁵

The union picket captains had tried to stand down prior to the shelling, but after being attacked, some strikers fought back and a firefight ensued. Onstine describes what happened next:

“When the tear gas finally cleared, the full extent of union casualties became obvious. William Kaarte, a 62-year-old woods cook, died instantly after he was shot in the throat. Paul Lampella, a young guy, was hit in the head. His eye popped out on his face and he was screaming bloody murder. Insane,

³⁴ “The Public Outlaw Show: Democracy is Not a Spectator Sport”, Dave Chism and Bob Cramer, interviewed by Dan Fortson on KMUD FM, November 27, 1997.

³⁵ Onstine, op. cit..

his facial muscles tightly constricted by paralysis, he lived until August 7th. Harold Edlund, 35, a chopper employed by the Pacific Lumber Co., was mortally wounded in the chest while assisting Lampella. He died on the evening of June 24th. Ole Johnson was wounded in a leg which subsequently required amputation. Many others were wounded as well.

“Five police officers—Littlefield, Rutledge, French, Carroll, and Albee required medical attention for gas exposure, cuts, and concussions. All returned to duty later that morning.

“The Great Strike in Humboldt County ended on June 21st. The longshoremen went back to work on Monday, and the Lumber and Sawmill Workers Union shifted its attention to providing legal aid for its members.

“Despite efforts by the police and the press, public opinion swung to the side of the strikers. Fifteen hundred members of Humboldt County labor unions were reported to have turned out for the funeral of Kaarte, the woods cook, and Assemblyman Burns led a procession in which unionists marched in a solid phalanx five blocks long followed by a hundred car loads of mourners.

“Of the lumber workers arrested, 80 men and three women were brought to preliminary hearings before the Eureka Police Court. Of the 83 strikers who had preliminary hearings, sufficient cause was found to bring 55 to trial in superior court.

“A shortage of jurors who were willing to serve plagued the prosecution from the beginning. Of the 100 jurors called for the first trial, 44 failed to show up, and a special venire of 40 had to be summoned. In light of the difficulty assembling a jury, district attorney Bradford began negotiating with the defense attorneys to drop charges against all but twelve of the defendants in exchange for consolidation of the cases.

“The jury, after deliberating more than 30 hours, was able to reach agreement on only one of the defendants, who was acquitted...The prosecution had undertaken three trials without obtaining a conviction and had seen its key witnesses completely discredited. On September 25, Bradford called it quits...

“The hysteria created by public officials and the press had contributed to the bloodshed. The Humboldt Nationals had held a special meeting at Eureka High School on the eve of the riot, presumably for a pep-talk before the expected confrontation. The situation was ripe for violence, and if the showdown had occurred late in the day when the vigilantes could have been assembled, many more people would have been hurt.

“Immediately following the trials, a curtain of silence descended on these events. The local press had no interest in analyzing the subject.”³⁶

In spite of the bosses’ repression, the strike succeeded and brought with it a revival of unionism within the lumber industry, but not directly from the IWW. The Wobblies still existed, but never regained the prominence they once held two decades previously, in large part due to the dominance of Communism as a political force on the left.³⁷ The influence of Communism, and the vast wave of rank and file worker militancy that grew during the 1930s was significant enough to convince President Franklin D. Roosevelt to enact various social democratic reforms, known as “The New Deal”, which—ironically enough—had some of their roots in Carleton Parker’s sociological studies of the IWW and the experiments in paternalism begun by Pacific Lumber, (even though most had their origins in the reformist economic ideas proposed by John Maynard Keynes). Additionally, in order to rein in the increasingly militant union organizing by the working class and the growing violent backlash enacted by the employers, Roosevelt signed the Wagner Act (otherwise known as the National Labor Relations Act) in 1935 thus legalizing and formalizing collective bargaining by labor unions.³⁸

The New Deal split the capitalist class into liberal and conservative camps. The liberals welcomed the potential for “labor peace” that the Keynesian New Deal offered, but the conservatives decried what they described as “creeping Communism,” even though in reality the New Deal stole the Communists’ thunder, but the Keynesians ruled the day while the conservatives bided their time. The ever opportunistic Communists nevertheless assumed credit for the reforms and reinforced the idea that socialism could be brought about by incremental reform. Schisms between Communists, Socialists, and Anarchists over the Spanish Revolution of 1936 and the rise of European Fascism further strengthened the Communist’s hold on the American left. The cumulative effect of these political tides and currents was to leave many with the perception—even if debatable—that time had passed the IWW—and, by extension, syndicalism—by, and a great many of its members drifted away, and the organization, though it continued to exist, was but a shadow of its once great self.³⁹

Instead, the revival of militant timber workers’ unionism was led by the International Woodworkers of America (IWA), which formed in 1937, and affiliated with the newly formed Congress of Industrial Organizations (CIO). The IWA, like the IWW, was a democratic, rank-and-file controlled union. The overwhelming majority of the elected officers in the union were radical militants (many of them former IWW organizers). Unlike the IWW, however, the CIO believed that the union should not only orient their struggle at the point of production, but that they should engage in the political arena as well—an idea the IWW rejected in 1908. The CIO, like the Communists,

³⁶ Onstine, op. cit..

³⁷ Lembcke and Tattam, op. cit., pages 30-42.

³⁸ Thomspson and Bekken, op. cit., pages 1-16

³⁹ Thomspson and Bekken, op. cit., pages 1-16

believed that their organization was part of a larger movement that would confront the criminal economy of the capitalist system.⁴⁰ While the existence of the Wagner Act and the new union federation's pragmatic approach attracted a lot more members much more quickly than the Wobblies could ever have hoped to have done, it also created its own share of problems as well. The IWW had opposed the conservatism of the AFL, but they had never actively attempted to raid their competitors, choosing instead to allow militant AFL members to hold IWW cards simultaneously; the CIO had no such prohibitions on raiding. The AFL, who still insisted on craft unionism, excluding unskilled workers, and racist policies were suddenly faced with the very real possibility of losing their jurisdiction over their long existing strongholds. For example, many of the IWA's rank and file members defected from the AFL's carpenters' union.⁴¹ Faced with competition from this new union, the competing AFL timber unions were forced to step up their organizing, evolve, and become more like the CIO.

As a result, the unions of the AFL and CIO organized as much against each other as they did the employers, and these internecine squabbles and each federation's lack of solidarity for the other undermined potential victories for the workers as a whole. The United Brotherhood of Carpenters and Joiners (UBCJ) made a concerted effort to target timber companies on the Mendocino coast from 1937 to 38, particularly the Union Lumber Company. The UBCJ succeeded in winning enough support for a National Labor Relations Board (NLRB) election, but the companies campaigned hard against the union, and the efforts were thwarted. Two years later, the International Longshoremen's and Warehouseman's Union (ILWU)'s Fort Bragg Local 77 attempted to secure recognition from the Caspar Lumber Company and Union Lumber—both of whom operated lumber schooners along the coast—only to have their efforts thwarted when the companies simply shut down their schooners permanently, switching to other methods of transport. The Union Lumber Company in particular was still very much hostile to unionization, and it maintained an active blacklist of union supporters.⁴² These jurisdictional squabbles did coincide with a massive increase in union membership—though it's just as likely the New Deal and Wagner Act are to credit for this—but they primarily allowed the employers to undermine working class solidarity, a fact that the still existing, but substantially diminished IWW tried desperately to point out to little avail.

To make matters worse, the CIO faced as much strife from within its ranks as it did from without. The CIO was created by a fragile alliance of its “red”, left wing (comprised primarily of Communists as well as a handful of Socialists and former Wobblies) and its “white” conservative wing (made up of liberal reformers and social democrats). The former were led by the ILWU's Australian born Harry Bridges and the IWA's Canadian born Harold Pritchett, both based on the west coast, whereas the

⁴⁰ Garner, op. cit.

⁴¹ Lembcke and Tattam, op. cit., pages 54-58.

⁴² “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.

latter was led largely by the CIO's president and United Mine Workers of America (UMWA) leader John L. Lewis. Lewis's faction believed in the AFL's dictum of "a fair day's wage for a fair day's work", whereas the reds followed the IWW credo that "the working class and the employing class have nothing in common."⁴³

Initially, both sides coexisted uneasily. The leftists who had founded the new federation were still very much under the sway of the "United Front" so naïvely championed by many Communists. Meanwhile, Lewis and the conservatives had to tolerate the presence of the left. In the CIO's early days, the Great Depression still weighed heavy on everybody's mind, and industrial workers were still very open to anti-capitalist perspectives. On top of that, Lewis ruefully conceded that the radicals were the best organizers he could hope to find.⁴⁴ World War II brought about an alliance between Western Capital and Soviet Communism against the Axis Powers, and for a time, the CIO was unified, but after the war this changed. During the early days of the post war boom, the truce abated, and the employers, who would ideally have chosen no union at all, still preferred the "white" to the "red" and often assisted in the conservative wing's repeated attempts to undermine the radicals.⁴⁵

Following World War II, however, the employers faced another crisis. The War had given returning US GIs an unprecedented degree of economic power, the war had been largely won due to the efforts of the Soviet Union's ability to withstand Hitler's eastward push, and many European nations that represented potential markets for the very powerful western capitalists had been liberated Communist led uprisings. The old prewar fears of the American working class organizing a revolution resurfaced with a vengeance and the employers sought to preempt such an occurrence by engaging in intense post war propaganda efforts to vilify Communism as a hostile force.⁴⁶ Such descriptions were not entirely without merit. The Soviet Government's internal repression and the atrocities committed against their own workers, which the IWW had criticized from the *left* before the war had ended, now were fodder for the *right*.⁴⁷ Both sides in the growing cold war engaged in espionage, trickery, and subterfuge to undermine what they considered to be political threats both from outside and within. In the United States, this was manifested in the McCarthy Era which is remembered primarily as a witch hunt against leftist, and sometimes even liberal, intellectuals, many of them based in Hollywood, but this, itself is only the tip of the iceberg. In actual fact, McCarthyism was merely political theater for a much deeper and more systematic destruction of working class radicalism within the United States by the employing class and aided by the state from many directions, the most sinister being organized surveil-

⁴³ Garner, op. cit.

⁴⁴ Lembcke and Tattam, op. cit., page 79.

⁴⁵ Garner, op. cit.

⁴⁶ Boyer, Richard O, and Herbert M. Morais, *Labor's Untold Story*, Pittsburgh, PA, United Electrical, Radio, and Machine Workers of America, third edition, 1997, pages 329-70.

⁴⁷ "Chicago Replies to Moscow", editorial, *Industrial Worker*, January 27, 1945.

lance, disruption, and repression by the FBI under the direction of the aforementioned J. Edgar Hoover.⁴⁸

These geopolitical struggles exacerbated the split within the CIO, and in particular they greatly weakened the IWA. Even before the war began, the same kind of tactics that were used against the IWW were again used against the IWA. The Portland Police Red Squad, and similar agencies, the American Legion Subversive Activities Committee, and Martin Dies who chaired the House Committee on un-American Activities (HUAC), persecuted the union and its officers and used every sort of slander, libel, and innuendo to link them with the Communist Party. The United States Immigration Service was able, in 1940, to successfully depose IWA President Harold Pritchett of his office on a legal technicality, since he was a still Canadian citizen. These efforts had been aided and abetted by the white block within the CIO. In the years following the war, the emboldened rightist forces within the CIO and particularly the IWA engaged in countless instances of subterfuge, questionable elections, innuendo, and redbaiting. The employers were determined to prevent the solidifying of a West Coast based “red block” led by ILWU and IWA. While they failed to purge the former of its left wing, they succeeded in doing so in the latter.⁴⁹ These setbacks did not keep the IWA from organizing in the woods or the mills, but they greatly limited their power and ability to establish control by the workers over the job.

Meanwhile, Corporate Timber took advantage of the divisions within the labor movement and on the left and consolidated their control over the forests of the Pacific Northwest. The onset of World War II brought about swift changes to timber market conditions and overall production more than doubled from a low of 17 bbf in 1933 to 36 bbf in 1941. That year there were 24 sawmills in Humboldt County. During the war, the number of sawmills grew rapidly each year, and by war’s end they were producing lumber at full capacity.⁵⁰ By 1946 there were 99 mills in Humboldt County⁵¹ and Mendocino had experienced similar growth.⁵² After the war, however, production levels continued to increase to service the pent up demand for housing, due to the flush reserves of the returning GIs and the new VA mortgage programs.⁵³ This led to a strike wave that engulfed California’s North Coast in the three years that followed.

As a result, there was a general strike against all North Coast timber companies that took place in 1946. The workers’ demands included \$1.05 hourly minimum wage, two weeks paid vacation, an end to the gyppo system, improved safety measures, company

⁴⁸ “Stop FBI Repression!: The Historical Context to Recent Bomb Charges Against California Earth First! Activists, by Michael Robinson and Jim Vander Wall” *Industrial Worker*, July 1990.

⁴⁹ Garner, op. cit.

⁵⁰ Butler, op. cit.

⁵¹ “A Logger Speaks Out – An Interview with Walter Smith”, by Bruce Anderson, *Anderson Valley Advertiser*, July 4, 1990.

⁵² “Economic Survey of Humboldt County”, CA Eureka Chamber of Commerce and Humboldt County Board of Trade, July, 1960, 30.

⁵³ Foster, op. cit., “Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest”.

provided logging equipment, and a union shop status.⁵⁴ Many of the mills in northern California were unionized, but in many cases, the timber unions had not secured majority bargaining unit status and “union shop” clauses.⁵⁵ The employers, by contrast, remained insistent at retaining open shop status, in which not all of the workers had to join the union, but still enjoyed the benefits of a union contract without having to pay union dues. In most cases, this amounted to less than one percent of the workforce, but the unions saw it as a foot in the door for the employers to erode what the unions had gained through struggle, and historically, the bosses had always done so in time.⁵⁶ The strike lasted six months and ended in defeat, led by the Union Lumber Company.⁵⁷

Then, in 1947, ostensibly to drive “Communism” out of the labor movement, but in actual fact to limit the unions’ power further, the US Government passed the Taft Hartley Act, prohibiting general strikes and other mass collective action, making another such strike wave legally impossible.⁵⁸ By 1948 many of the mills had shed their union contracts. In a further attempt to kick the unions while they were down, ULC commissioned the publication of an extremely biased and inaccurate history book, *Memories of the Mendocino Coast*, by D. W. Ryder claiming that the company had been “singularly free of labor trouble over the years,” and described the strike as “ill-advised and unnecessary.”⁵⁹ The timber unions had suffered another crushing defeat.

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The result of all of this was that Corporate Timber’s lumber harvesting reached even more unprecedented levels, and The strike of 1946-48 temporarily halted production on the North Coast, and even then, not entirely, as small operators took advantage of the intense demand to fill the niche created by the strike.⁶⁰ The demand for wood was so great that in northwestern California, Douglas fir, which often grows near redwoods, but also grows elsewhere as a dominant species, and was hitherto overlooked as a source of high grade lumber, was now almost as much desired, and the small companies operating during the strike were able to take advantage of this change as well.⁶¹ The small owners were, for the most part, fly-by-night operations, but at the conclusion of the strike, the large companies bought many of the mills and used them to branch out into Douglas fir production alongside Redwoods.⁶²

⁵⁴ “The Great Redwood Strike of 1946-48, What, Who, and Why”, by Russel Bartley and Sylvia Yoneda, *Noyo Hill Notes*, Fall 1996.

⁵⁵ “Don Nelson: Candidate for Supervisor, 4th District (Mendocino County)”, Interviewed by Beth Bosk – *New Settler Interview*, issue #31, May 1988.

⁵⁶ Bosk, May 1988, op. cit.

⁵⁷ Bosk, May 1988, op. cit.

⁵⁸ Garner, op. cit.

⁵⁹ Bartley and Yoneda, op. cit.

⁶⁰ “Log Export History: Mill Jobs Exported”, by Edie Butler, *Hard Times*, Vol. 3, #1, February 1983.

⁶¹ Butler, op. cit.

⁶² Melendy, Op Cit., 217-18.

Advances in technology made during and after World War II accelerated the liquidation of the forests of the Northwest further. By 1948, gasoline powered chainsaws and gas or diesel tractors had almost universally replaced axes and hand saws and steam driven yarders completing a second wave of automation within the timber industry enabling the rapid expansion of logging operations while at the same time reducing the workforce needed to produce the same amount of lumber.⁶³ By 1951, there were 262 sawmills in Humboldt County⁶⁴ and 300 in Mendocino County, at which point the number of mills began to decline.⁶⁵ Only the post World War II boom prevented a massive round of layoffs of timber workers. The Korean War brought about the peak in timber harvests on private lands in 1952, and that year timber corporations removed enough board feet from private lands in Oregon alone to house Oregon's entire two million population *and* San Francisco's 700,000 residents.⁶⁶ Many of the sawmills constructed on the North Coast were shady affairs, lasting no more than ten to twenty years at most, ultimately resulting in the consolidation of timber holdings into the hands of a few corporations, particularly ULC in Mendocino County and Pacific Lumber in Humboldt County.⁶⁷ In Humboldt County in 1956 the number of sawmills in Humboldt County dropped to 214. That number decreased yearly so that by 1960 there were 134.⁶⁸

The workforce's decline had been brought on largely by automation which began with the widespread deployment of chainsaws and gasoline powered tractors, but was greatly accelerated by far more significant changes in transportation patterns. In the 1950s, the United States underwent a massive wave of automobilization, facilitated by the systematic gutting of intracity and interstate public transit systems and the creation of the new Interstate Highway system in 1956. This expansion was driven by probable collusion between the government, and the oil, automobile, tire, and rubber corporations who desired a monopoly on transportation. This process affected all sectors of the US economy, bringing about unprecedented capital expansion, including within the lumber and paper industries.⁶⁹ Logs that were once loaded onto train cars were now loaded onto log trucks which could operate on roads which were much easier to construct into deep forest lands.⁷⁰ Local milling operations were geared for larger diameter logs, and smaller diameter logs were considered undesirable. For some

⁶³ Foster, op. cit., "Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest".

⁶⁴ "Economic Survey of Humboldt County", op. cit., 30.

⁶⁵ Anderson, July 4, 1990, op. cit.

⁶⁶ Foster, op. cit., "Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest".

⁶⁷ Anderson, July 4, 1990, op. cit.

⁶⁸ "Economic Survey of Humboldt County", op. cit., 30.

⁶⁹ Wolf, Winfried, *Car Mania: A Critical History of Transport*, Chicago, IL. Pluto Press, ©1996, pp 81-90.

⁷⁰ "Kenneth O. Smith and Walter Smith: Gyppo Partners, Pacific Coast Timber Harvesting", Interviewed by Beth Bosk, *New Settler Interview*, Issue #21, June 1987

hardwoods, such as Madrone, tanoak, pepperwood, there was no domestic market, but foreign markets appeared. In the 1950's the balance of mill ownership along California's North Coast shifted from locally owned to "out of area" firms who bought up mills and timber.⁷¹ At this point, timber harvests on private land began to diminish, but capital's economic imperative to continue their harvests unabated created increasing pressure to log public lands.⁷²

The timber unions' presence on the North Coast was largely inert. The IWA grew throughout the Pacific Northwest, primarily due to the growth of the population there and the post war boom, but they made no advances whatsoever against the increasing use of gyppo logging operations and made few gains in advancing the power of the workers. Through the process of collective bargaining, increasingly conservative, "business" unions, including the IWA, traded workers' rights over any say in production for the sake of better wages and benefits.⁷³ Dissent within the ranks of the labor movement had been effectively marginalized. For the most part, other than occasional pockets of rebellion, it had become a conservative, and in some cases, even reactionary force. With rare exception, the AFL-CIO could be reliably counted upon to support the overall goals of the capitalist class. To resist or question this even mildly was to be automatically branded "un-American" or "Communist", and in those days such was tantamount to political suicide. Indeed, leftist political activity of *any* sort was quickly dismissed by the powers that be and their followers as being controlled from Moscow, and protesters were often greeted with the admonishment from counterdemonstrators—including many gullible rank and file union members—to "Go (back) to Russia!"

By the mid 1950s, both the AFL and CIO were virtually indistinguishable from each other, and on February 9, 1955, they merged into a single union federation, the AFL-CIO.⁷⁴ Meanwhile, the Wobblies experienced their ultimate nadir after losing jurisdiction over its Cleveland metal workers' industrial union after the IWW's General Executive Board refused to honor the Taft-Hartley anti-communist stipulations. The IWW would begin to grow again in the following decades, but by now their membership (which had peaked in the 100,000s in 1936) reached its lowest ebb and numbered in the low hundreds.⁷⁵

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Meanwhile environmental movement grew and, in matters of populist efforts to rein in the power of corporate resource extraction of public lands and privately owned wilderness areas, filled the political void left by the lack of an adversarial labor union. Although the Sierra Club had originally attracted mostly wealthy Republicans, the conservation minded aspects of the New Deal had brought a good many Roosevelt

⁷¹ Butler, op. cit.

⁷² Foster, op. cit., "Part 4 – Ecological Conflict and the Class Struggle".

⁷³ Garner, op. cit.

⁷⁴ Boyer and Morais, op. cit.

⁷⁵ "95 Years of Revolutionary Industrial Unionism", by Michael Hargis, *Anarcho Syndicalist Review* #28, Spring 2000.

Democrats into the organization. Following World War II, four members in particular who helped expand the Sierra Club's horizons from merely protecting a handful of ecological jewels for the enjoyment of the wealthy, white elite, into a populist advocacy group seeking to influence matters of national environmental policy. These were attorneys Richard Leonard and Bester Robinson, photographer Ansel Adams, and a young idealist named David Brower.⁷⁶ By 1950, the organization numbered 7,000 and the vast majority of them were based on the Pacific Coast, but that year a huge influx of members joined from the Atlantic Coast region, and the organization evolved from an ephemeral volunteer organization to one with a board of directors. The membership elected Brower to serve as its first director, under the organization's new, formalized structure.⁷⁷

Under Brower's leadership, the Sierra Club solidified its reputation as a scrappy fighting national environmental group, taking its place among other already existing, but more conservative organizations such as the National Audubon Society, National Wildlife Federation, and the Wilderness Society. The Sierra Club led the battle against the construction of the Echo Dam in Utah's Dinosaur National Monument, and succeeded in having it deleted from the Colorado River project in 1955. The victory resulted in the growth of the organization's membership from 10,000 that year to 15,000 in 1960. In 1964, thanks the Club's efforts, the US Congress passed the Wilderness Act in 1964, which created the National Wilderness Preservation System. The initial statutory wilderness areas, designated in the Act, comprised 9.1 million acres (37,000 km²) of national forest wilderness areas in the United States of America previously protected by administrative orders, and for the first time since the days of Gifford Pinchot, theoretically placed limitations on encroachment on public lands by private logging interests.⁷⁸

The Sierra Club also successfully thwarted attempts by the Bureau of Reclamation from building two dams in the Grand Canyon that would have flooded it. The organization ran ads in the *New York Times* and *Washington Post* in 1966 against the dams, which drew protests to congress from individuals (influenced by the private interests who stood to profit from the proposed dams) that such actions violated the terms of 501c(3) nonprofit organizations. An IRS crackdown on the Club ultimately resulted in the suspension of its 501c(3) status, but it anticipated such an event by spinning off a 501c(3) Sierra Club Foundation for endowments and fundraising for educational and non-lobbying purposes in 1960. The organization transitioned to a 501c(4) nonprofit which allowed for the activity that 501c(3) did not, but in spite of these precautions, contributions to the Sierra Club began to decline, resulting in increased operating deficits.⁷⁹

⁷⁶ Fox, Stephen, *John Muir and His Legacy*, Boston, Little Brown, 1981, pages 214 and 275.

⁷⁷ Fox, op. cit, page 279.

⁷⁸ Fox, op. cit, pages 279-89.

⁷⁹ Cohen, Michael P., *The History of the Sierra Club, 1892-1970*, San Francisco, Sierra Club Books, 1988, pages 357-365.

The Sierra Club survived the setback and its membership grew in spite of the lesser contributions, but internal schisms began to divide and undermine its ability to challenge private encroachment onto publicly owned wilderness areas. Financial challenges sowed divisions between Brower and the board of directors in 1967-68. These divisions fed into a further split when the board voted to endorse the Pacific Gas and Electric Company's construction of a nuclear fission power plant at Diablo Canyon in southern California near San Luis Obispo. The board's decision was endorsed by a referendum of the general membership in 1967. The Club had successfully fought against the construction of a similar plant by PG&E proposed for Bodega Bay near Point Reyes in western Marin County in the early 1960s, and the power company's fallback proposal was, at least, seen by most of the members as a partial victory. To Brower, however, this moved the Sierra Club away from the vision of John Muir and instead in the direction of Gifford Pinchot.⁸⁰ Brower publically declared his opposition to the compromise, saying, "...compromise is often necessary but it ought not to originate with the Sierra Club. We are to hold first to what we believe is right, fight for it, and find allies...If we cannot find enough vigor in us or them to win, then let someone else propose the compromise."⁸¹ However in doing so he raised further controversy because—though his action may have been principled on environmental grounds was nevertheless a violation of the Sierra Club's democratic structure. Two successive board elections resulted first in a pro-Brower majority followed by an anti-Brower majority, the latter of which, led by Brower's one time friends Adams and Leonard, charged him with financial recklessness and insubordination. Brower resigned from the Sierra Club in mid 1969.⁸²

Due to such machinations, the Sierra Club was limited in its ability to address the increasing threat to the California Redwoods, though members of the organization were active in supporting the efforts of others to do so. For a time, chief among these was the Save the Redwoods League who had preserved as many as 1000 smaller old growth Redwood Groves in thirty of California's state parks. STRL, the Sierra Club and the National Geographic Society lobbied for the formation of Redwood National Park from the existing smaller groves preserved from STRL's earlier efforts in the state park system in northern Humboldt County for years, but were unable to do so due to the post war boom. After almost two decades of advocacy by the League and intense lobbying of Congress, President Lyndon Johnson finally signed the bill creating Redwood National Park on October 2, 1968.⁸³ Although this was a significant victory, the fate of the redwoods—indeed the entirety of what remained of the ancient forests of the Pacific Northwest, not to mention the timber workers—hung by a thread.

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⁸⁰ Cohen, op. cit., pages 394-434.

⁸¹ "A Lesson for Environmentalists: The Earth First! Split, Part 1", by Russell Norvell, *Anderson Valley Advertiser*, November 7, 1990.

⁸² Cohen, op. cit., pages 394-434.

⁸³ Schrepfer, Susan R., *The Fight to Save the Redwoods: A History of Environmental Reform, 1917-1978*. Madison: The University of Wisconsin Press, 1983. pp. 130-185.

As the 1960s came to a close, several currents began to coalesce which portended what would be the four decades long conflict over the last remaining ancient redwoods of northwestern California. To begin with, in 1968, the US Forest Service conducted a survey of logging and found that in Humboldt County alone, the rate of cutting exceeded growth by 270 percent. The situation in Mendocino was no less stark.⁸⁴ To make matters worse, with the sale of the Union Lumber Company to Boise-Cascade (B-C) in 1969, all but one of the major timber companies on the North Coast (Pacific Lumber), were owned by outside corporations. The only consolation of that development was that B-C was so egregious in its treatment of the workers that it resulted in the unionization of several of its mills in the area.⁸⁵ Annual harvests of national forest timber had risen from three bbf in 1945 to 13 bbf in 1970. That year a Nixon administration task force, bowing to pressures from industry, had declared that, "A goal of about seven billion board foot annual increase in timber harvest from the national forests by 1978 is believed to be attainable and consistent with other objectives of forest management."⁸⁶ The economic pressures to log the forests elsewhere in the Pacific Northwest would have a residual effect on the North Coast's forests. Under such market conditions, Corporate Timber's bottom line required an average of 40-year rotations on their managed forests. This presented a substantial problem on the North Coast, because redwoods required at bare minimum 50 to 60 years to reach maturity, with 80-year rotations being the most desirable low end.⁸⁷

These stark realities were alarming enough to convince the majority of the California state legislature to pass the Z'berg-Nejedly Forest Practices Act in 1973, which essentially called for sustained yield forestry, and attempted to reform the regulation of forestlands.⁸⁸ The act established the Forest Practice Rules (FPRs) and a politically-appointed California Board of Forestry (BOF) to oversee their implementation, and placed the California Department of Forestry and Fire Protection (CDF) in charge of enforcing its directives. It further required that before any logging took place, whether on public or private land, a Registered Professional Forester (RPF) retained by the logging concern, must prepare a document which outlined the proposed logging operations, known as a Timber Harvest Plan (THP), and submit this to the state. These documents were certified as the 'functional equivalent' of an Environmental Impact Report, and were supposed to evaluate all of the potential direct and cumulative impacts that might occur as a result of the logging plan and to implement any feasible measures which would reduce this impact to a level of insignificance."⁸⁹ This law was groundbreaking and had the potential to establish public control over the fate of the

⁸⁴ William Boly, "Travels in Humboldt", *California*, February 1982, 69.

⁸⁵ Bartley and Yoneda, op. cit.

⁸⁶ Foster, op. cit., "Part 2 - Ecological Catastrophe and Social Crisis".

⁸⁷ Meyers, op. cit.

⁸⁸ "Timber Outlook", by Bob Martel, *Country Activist*, June 1988.

⁸⁹ "How a Timber Harvest Plan Works", featured on the EPIC website at www.wildcalifornia.org/how-a-timber-harvest-plan-works/. Emphasis added.

state's forests, but there was one glaring problem in its implementation. There were no specific provisions in the law preventing the elected governor of California from appointing agents of the timber corporations to populate the board, and upon the law's passage, Ronald Reagan, then-Governor of California and friend to corporate interests, proceeded to do exactly that.⁹⁰

Hitherto, there had been little direct conflict between timber workers and environmentalists as the depletion of the forests had not yet reached crisis proportions, and environmentalists invested their energy into legal, legislative, and electoral efforts, but in the 1970s, this began to change. The timber corporations exercised their considerable political clout to manipulate the workers into believing that the environmentalists were their enemies.⁹¹ In 1972, in northwestern California in northern Humboldt County, a drive to expand Redwood National Park, led by Save the Redwoods League (SRL) in 1972, was answered with resistance from loggers, millworkers, and log truck drivers, including some who belonged to various unions. The latter, who had been manipulated by the timber companies into believing that the parks expansion would result in a loss in timber jobs, organized a caravan to Washington DC to oppose the expansion.⁹² That same year, B-C suffered financial difficulties and subsequently their California holdings were purchased by Georgia-Pacific (G-P) in 1973, in a hostile takeover. B-C filed a successful anti-trust suit against G-P, which had to spin off another company (which became Louisiana-Pacific) to comply with the terms.⁹³

G-P's logging practices elsewhere had been anything but conservation minded in the eyes of most environmentalists and there was little expectation that their practices on the North Coast would be any different. When it divided the lands it acquired from B-C in the creation of Louisiana-Pacific (L-P), G-P retained the coastal holdings and the new company retained the forestlands that lay inland. One such area acquired by G-P was the remote "Lost Coast" area of northwestern Mendocino and southwestern Humboldt Counties, sometimes referred to as the "Mateel" in reference to the Mattole and Eel River watersheds, which had once been home to the Sinkyone Indian tribe and where a great many first-generation "back-to-the-land" types now made their home. Over the course of the next decade, environmentalists and the rapidly declining timber workers' unions would clash over the ongoing fight to save the Sinkyone Wilderness.⁹⁴

Had the unions retained any of their anti-capitalist militancy they might not have been so easily manipulated by Corporate Timber, but during the 1970s, when environ-

⁹⁰ Hrubes, Dr. Robert J., Final Report – Conclusions and Recommendations for Strengthening the Review and Evaluation of Timber Harvest Plans; Prepared for the California Department of Forestry and Fire Protection, LSA Associates, Inc., Point Richmond, California, March 1990.

⁹¹ Foster, op. cit., "Part 2 - Ecological Catastrophe and Social Crisis".

⁹² Martel, June 1988, op. cit.

⁹³ "Don Nelson: Candidate for Supervisor, 4th District (Mendocino County), interview by Beth Bosk, *New Settler Interview*, issue #31, May 1988.

⁹⁴ "25th Anniversary of EPIC vs. Johnson", by Richard Gienger, blog entry on wildcalifornia.org/, July 30, 2010.

mental and economic interests clashed, which was happening increasingly often, they usually took the side of their employers. For the most part, the class collaborationist business union leadership considered the environment a nonissue. There had been a few exceptions, such as the Green Bans at Kelly's Bush in Australia in 1971, the Oil Chemical and Atomic Workers strike at Shell in 1973, or the Lucas Aerospace workers strike in the UK in 1976, and most of these struggles were led by socialist leaning insurgents within the larger union structure, which were quickly quashed.⁹⁵ For the most part, the AFL-CIO's attitude towards such things could best be summarized by a bumper sticker frequently seen on the vehicles of its members that read, "Pollution, Love it or Leave it!"⁹⁶

Corporate Timber pitted North Coast environmentalists and the timber workers' unions against each other once again in 1978. In a further attempt to protect Redwood National Park from the consequences of logging in nearby national forests under increasing pressures from the timber industry, the federal government purchased 10,000 acres of old growth and an additional 38,000 acres of heavily eroded lands from Louisiana-Pacific and Simpson Timber companies. Save the Redwoods League led the efforts. The companies claimed that jobs—in this case as many as 6,000, the two companies' entire workforce in the county—would be lost. The unions and environmentalists fought against each other, but in actual fact, the timber corporations were engaging in a smokescreen. One year after the RNP expansion, there was not an appreciable reduction in timber jobs at all. The workforce did decline to 5,700 in 1983, and L-P and Simpson blamed this loss directly on the expansion of the park, an explanation many timber workers accepted unquestioningly. A reduction from 6,000 to 5,700 was hardly significant, but the timber companies nevertheless used this as "evidence" to demonstrate that environmentalists posed the principle threat to timber workers' job security.⁹⁷

The primary motivation for Corporate Timber's propagandizing was largely due to the fact that it was their *own* practices which represented the biggest threat to job security. In 1977 the U.S. Forest Service predicted a 67 percent decline in timber jobs by 1985 due to the decline of timber resources. Between 1968-78, jobs in Humboldt County in timber fell from over 11,000 in 1968 to 6,175 in 1978 due to primarily to mechanization, log exports, and overcutting.⁹⁸ Likewise, in Mendocino County, timber related jobs declined from a high of 36 percent of the workforce in 1970 to 12 percent by 1988.⁹⁹ Processing one million board feet (1 mmbf) of lumber required 11 timber workers in 1947, but only seven by 1975 and a mere three workers by 1985 due to automation. The Simpson Pulp Mill at Smith River required just 1.6 workers per million board feet in 1977. These numbers don't reflect the fact that two indirect jobs—

⁹⁵ These and other such instances are detailed at ecology.iww.org.

⁹⁶ "Earth First!ers, Meet the IWW", by x322339, *Industrial Worker*, May 1988.

⁹⁷ Martel, June 1988, op. cit.

⁹⁸ Martel, June 1988, op. cit.

⁹⁹ Bartley and Yoneda, op. cit.

such as teachers, food service workers, grocery clerks, office jobs, and the like—were lost for each direct job in the forest products industry in timber dependent communities.¹⁰⁰ Numerous studies, including those carried out by the USFS suggested that by 1990, timber production in northwestern California could decline anywhere from 30 to 50 percent, and remain at this level for at least 10 to 15 more years afterwards.¹⁰¹ These were dire predictions indeed, and they would only get worse.

In addition to overharvesting the forests and subjugating the timber workers, in their ever increasing greed Corporate Timber also quite literally poisoned the water, earth, and air in and around the forests. As the United States military had done in its counterinsurgency campaigns in Vietnam, timber companies used chemical defoliants, including sometimes even Agent Orange, to clear out the underbrush and understory hardwood trees that sometimes grew there. Through these methods, Corporate Timber hoped to facilitate even more rapid clearcutting as well as conversion of diverse forest habitats into monoculture tree plantations. The timber bosses saw no value in the hardwood species they sought to eliminate, though the offending trees could have been a boon to both timber workers and the environment had they been selectively logged—thus providing ample room for the conifers to flourish and be harvested later—and used to make wood flooring or furniture locally.¹⁰² These ideas, however, were inconsistent with the increasingly profit-oriented timber harvesting techniques now in place.

Such practices had already drawn widespread opposition from the burgeoning environmental movements coalescing along California's North Coast, which included no small number of antiwar activists, disillusioned veterans, back-to-the-landers, and indigenous people, all of whom shuddered at the implications of private industry duplicating the scorched earth policies that had leveled the jungles of Southeast Asia. In the words of one such activist:

Not only has the North Coast timber industry historically placed tremendous overcutting pressure on the forests, it is now increasing that pressure with renewed large scale clearcutting forest management. Chemicals severely toxic to forests, fisheries, wildlife and people are being recklessly used to poison nature's efforts to heal clearcut scars with non-commercial soil-retaining and forest-regenerating plants. By eliminating human care in favor of economic poisons, short-term corporate profits are increased while long-term damage is ensured."¹⁰³

¹⁰⁰ "Jobs, Automation and Exports", by Eric Swanson, *Mendocino Country Environmentalist*, July 22, 1992.

¹⁰¹ Martel, June 1988, op. cit.

¹⁰² "Ten Earth First! Logging Rules", speech by Judi Bari, Sacramento, California, January 8, 1992, featured on the album *Who Bombed Judi Bari?*, edited by Darryl Cherney, 1997.

¹⁰³ "Coastal Waves: An Occasional Column", by Ron Guenther, *Mendocino Commentary*, April 18, 1985, and *Country Activist*, May 1985.

Resistance on the North Coast to spraying began in Mendocino County in 1973, when Betty Lou Whaley of Caspar, California raised concerns about blackberries she ate that had been sprayed with the herbicide amino-triazole. Mendocino County officials, the majority of whom were beholden to business interests, told Whaley that the spraying was legal and non-toxic, but these claims were later shown to be lies. This led to a county-wide, mass based revolt against herbicide and pesticide spraying.¹⁰⁴

In Humboldt County, similar citizen opposition led to the formation of the Environmental Protection Information Center (EPIC) in 1976.¹⁰⁵ In 1978 timber companies, including G-P and L-P, began using helicopters to spray toxic herbicides 2,4-D and 2,4,5-T on their holdings.¹⁰⁶ Combined together, the two chemicals make Agent Orange, the infamous defoliant that was used by the US military in Vietnam.¹⁰⁷ The chemicals were known to cause cancer and birth defects, and their use had already been banned on federally owned lands. In 1979, by a 2-1 margin, Mendocino County voters adopt a ban on the aerial application of *all* phenoxy herbicides. The timber companies halted their aerial spraying while they appealed the law.¹⁰⁸

The environmentalist led populist revolt was enough to even get the Mendocino and Humboldt County IWA locals to question the “Pollution, love it or leave it” stance. Local 3-98 representative Tim Skaggs noted that clearcutting—which he opposed—was directly related to the use of herbicides. Both practices were capital intensive—thus harmful to the workers—and environmentally short sighted, but there was little they could do to resist due to the dominance of the gyppos.¹⁰⁹ For example, in 1979, G-P actually sprayed *Agent Orange* in the Usal forest stand in the southern tip of what is now the Sinkyone Wilderness area. The union protested the spray. G-P hook tender Wayne Thorstrom, a vocal opponent of the practice and IWA shop steward, met with company spokesman James Coons and informed the latter that the loggers refused to work in the affected areas. The chemical’s flashpoint was too dangerous, and it persisted for years, saturating the trees or their roots. A freak forest fire could not only result in the exposure of loggers to toxic chemicals, it could claim their lives. G-P ostensibly agreed to halt the aerial application of Agent Orange due to the union’s opposition, but the company was insistent on capital intensive chemical applications, so they proposed as an alternative drilling holes into the offending hardwoods and injecting them with Garlon. The IWA was no more agreeable to this for both reasons

¹⁰⁴ Bartley and Yoneda, op cit.

¹⁰⁵ “25th Anniversary of EPIC vs. Johnson”, by Richard Gienger, blog entry on www.wildcalifornia.org, July 30, 2010.

¹⁰⁶ “The Greening of Mendocino”, by Bob Martel, *Country Activist*, May 1985. Children waiting for a school bus on Greenwood Ridge Road in Mendocino County were also sprayed.

¹⁰⁷ “In Our Opinion”, by Barry Vogel, Mills Matheson and David Drell, *Mendocino Commentary*, February 21, 1985.

¹⁰⁸ Martel, May 1985, op. cit.

¹⁰⁹ Skaggs, op. cit.

of job security and environmental concerns, and Thorstrom relayed this to Coons. The G-P spokesman responded, “Fine; we’ll get someone else to do it.”¹¹⁰

The timber companies, as one might expect, denied that the chemicals 2,4-D and 2,4,5-T had adverse effects, *unless* combined to make Agent Orange. That same year, however, Marla Gillham conducted a study of thirty forestry workers planting an area that had been sprayed with Krenite, 2,4-D, and Silvex almost one year before planting began. She discovered that one worker, after spending only four hours at the site, experienced severe reactions to chemicals. A blood test revealed that the worker had absorbed 5.5 parts per billion (ppb) of Silvex and over 4 ppb of Krenite. Seventeen other workers also experienced nausea, headaches, bloody noses, and nervous system dysfunctions after only a few days at the site.¹¹¹ Meanwhile, Swedish epidemiologists established that workers exposed to 2,4,5-T were 6-8 times more likely to develop sarcomas. It was assumed that this was because of the dioxin TCDD, which is a potent carcinogen and a contaminant of 2,4,5-T. However, further studies showed that workers exposed only to 2,4-D (and other phenoxy herbicides which do not contain the dioxin TCDD) had a 4.2 times normal risk of developing a sarcoma. 2,4-D turned out to be about as dangerous as 2,4,5-T. In 1980 the Hazard Alert System of the State of California Department of Health Services published an evaluation of the human health hazards of 2,4-D. They were apparently not aware of the Swedish study on that chemical, but even without this information they urged strong precautions in *its* usage. Over the course of the next several years, 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, and many argued that 2,4-D should be as well.¹¹²

There were plenty of supporting accounts by timber workers exposed to herbicides. In 1980, Rich Overholt who was a USFS employee working in the Six Rivers National Forest of Del Norte, Humboldt, and Trinity Counties, and whose duties included manually applying herbicides, accidentally squirted a few drops of 2,4-D to his face, while working on difficult terrain. When he had taken the job, he had been told that “2,4-D was not dangerous.” His supervisor, he recalled, informed him that “he would have to drink a whole quart or gallon of the stuff” before experiencing any adverse effects. Overholt took his supervisor at his word and, like many of his fellow workers, took few—if any—precautions. He would routinely, inadvertently expose his entire body to the chemicals, and though the effects were not detectable then, after accidentally spraying himself in the face *directly*, he suffered an immediate toxic reaction. The com-

¹¹⁰ “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.

¹¹¹ “Worker Health and Safety, Woods Workers Warning”, by Daniel Faulk, *Hard Times*, February 1983.

¹¹² Vogel, et. al., op. cit.

bined consequences of his exposure turned out to be a permanently damaged nervous system.¹¹³

In 1981, 32-old Jack Duncan, who was employed by the BLM as a tree planter and had worked in that capacity for seven years, and his crew were working near Conley Creek in Oregon when a helicopter began spraying herbicides in an adjacent stand. According to Duncan, in a sworn affidavit taken November 11, 1981:

(spray from the helicopter) drifted over us and upon us...All ten of us were exposed to the herbicide—upon our clothes, skin...and we all inhaled the mist...All of my crew and myself experienced acute symptoms of burning eyes and throat, headache, dizziness, nausea and diarrhea. All have suffered from peripheral neuropathy (loss of feeling in fingers and toes) since the exposure.”¹¹⁴

Two wives of the exposed workers became pregnant after their husbands’ exposure, and both of them miscarried. Tree planters hired in northwestern California and Oregon continued to be subjected to nearby helicopter spraying by the timber corporations. The workers were never given a chemical history nor were they warned if chemical residues still persisted at the site. The lack of information kept labor cheap and plentiful, and those working in the forests disorganized—at great cost to their health and safety.¹¹⁵ Matters were about to worsen significantly.

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The election of Ronald Reagan as President in 1980 signaled the end of New Deal social democratic policies and a return to pre-Depression era laissez-faire capitalism resulting in greatly accelerated harvesting of the forests of the Pacific Northwest. It also heralded the end of the so-called “labor-management partnership” championed by the AFL-CIO as the employing class began to drive wages downward and cut benefits in order to maximize their profits. The AFL-CIO, including the timber workers unions, were powerless to stop this renewed assault on their standard of living. By 1980, the IWA represented 115,000 members, 32,000 of whom lived and worked in the Pacific Northwest in logging, sawmills, plywood mills, and the like.¹¹⁶ But most of the logging was now done by gyppos, which undermined the unions’ ability to mount a counterattack to employers. Even many of the Gyppos recognized this as a glaring problem.¹¹⁷

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¹¹³ Faulk, February 1983, op. cit.

¹¹⁴ Faulk, February 1983, op. cit.

¹¹⁵ Faulk, February 1983, op. cit.

¹¹⁶ “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.

¹¹⁷ “Kenneth O. Smith and Walter Smith: Gyppo Partners, Pacific Coast Timber Harvesting”, Interviewed by Beth Bosk, New Settler Interview, Issue #21, June 1987

Meanwhile, the environmental movement expanded dramatically due to the growing concerns over the rapidly disappearing forests, and was reinforced by scientific discoveries concerning old growth. A groundbreaking report, *Ecological Characteristics of the Old-Growth Douglas-Fir Forests*, authored in 1981 by US Forest Service ecologist Jerry Franklin showed that old growth forests represented, “by far the richest and most ecologically complex stage in the forest’s existence, supporting an as-yet uncataloged diversity of life forms, many of which (were) now endangered as a result of forest fragmentation and destruction of critical habitat.”¹¹⁸ In particular, ancient redwood forests created their own microclimate, combing the Pacific Coast fog with their needles, literally drinking the moisture out of the condensation. Excess moisture dripped to the ground providing an essential source of water for dense understory plant species, such as long living ferns and horsetails (many of which, like the ancient redwoods, had existed for hundreds of millions of years unchanged by evolution of other species during that time), redwood sorrel, bleeding hearty blue iris, yellow violet, and wild ginger, as well as many rare animal species.¹¹⁹ Old growth redwood forests also provided essential habitat for many species of fish by providing a stable environment for costal freshwater streams.¹²⁰ Even forest fires and the decay of ancient trees—those that the timber corporations described as “diseased, dying, or dead” needing to be removed to allow their replacement by younger trees—contributed to the living biomass through the decay of woody debris.¹²¹

The timber industry saw little difference between an old growth forest, second and later growth forests, and tree farms, however, except in the quality of timber available, and to those whose primary—and often only—concern was the bottom line, ancient forests represented the best available source of profitable timber. Most of the forests of the Pacific Northwest were not healthy old growth, however, but instead were either managed plantations, which had a very low survivability rate, or they were second or third growth, which offered substantially lesser quality timber. In Mendocino County, much of the logging being done by the 1980s was akin to scavenging. Loggers were routinely relogging forest stands that had previously been logged once or even twice before.¹²² Biologists compared the Northwest forests to a piece of cloth perforated repeatedly, to the point that there were more holes than cloth. According to data compiled by satellite photos comparing the Pacific Northwest to the threatened Amazon rainforests, released in 1992 by NASA scientist Dr. Compton J. Tucker, conditions in the northwest were as bad, if not worse than those in the tropics.¹²³ According esti-

¹¹⁸ Foster, op. cit., “Part 2 – Ecological Catastrophe and Social Crisis”.

¹¹⁹ Meyers, op. cit.

¹²⁰ “Enough Already”, by Nat Bingham, *North Coast News*, September 6, 1990.

¹²¹ “Ecological Arguments for Ancient Forest Protection”, Presentation of Eric Beckwitt, Chairman, Forest Issues Task Force, Sierra Nevada Group, Sierra Club at the organizational meeting of the California Ancient Forest Alliance, February 19, 1989, Davis, CA.

¹²² Bosk, June 1987, op. cit.

¹²³ Foster, op. cit., “Part 2 – Ecological Catastrophe and Social Crisis”.

mates made by Peter Morrison of the Wilderness Society in 1989, about 800,000 acres of the remaining intact old-growth forest were protected in parks and wilderness areas. The other 1.6 million acres—more than half of which were highly fragmented—were open to exploitation. In the 1980s, these stands of old-growth forest were disappearing at a rate of as much as 70,000 acres a year. At that rate, the unprotected old-growth forests of Oregon and Washington would be gone before 2020, and California wouldn't be far behind.¹²⁴

The depletion of these forests had implications beyond the mere loss of biodiversity, runoff, and the viability of riparian environments. The earth's very climate is biologically regulated. Forests moderated far more than local microclimate and the hydrological cycles of local watersheds. Forests also affect the overall surface temperature of the earth and the thickness of the ozone layer through nitrous oxide production. Through their carbon cycle, healthy forests convert vast amounts of atmospheric carbon dioxide (CO₂) into breathable oxygen (O₂). Healthy old growth forests are—quite literally—the lungs of our planet. Managed even-age tree plantations are no substitute for ancient forests in this respect. If anything, the latter cannot survive under conditions created by the loss of the former. Atmospheric CO₂ has increased by at least 22 percent since 1840, and though these days the primary source of it is carbon emissions from combustion engines and electric power generation, until 1960, the majority of it had been emitted due to deforestation and soil degradation. Organic, carbon-bearing compounds decay in clearcut forests, over ploughed farmlands, and freshly cleared fields, releasing CO₂ into the atmosphere removing precious O₂ from the air we breathe.¹²⁵ Throughout Europe, which has a longer history of industrial forestry, than the United States, managed tree plantations have proven unable to survive beyond three rotations without old growth forests nearby to provide biological diversity and other protecting factors, and even those near ancient forests do not fare well.¹²⁶ 52 percent of the forests of eastern Germany were dead or dying by the 1980s. As of late 1985, 17.5 million acres of forests in 15 European nations had been affected by “Waldsterben” (forest death).¹²⁷

There was every indication that the North Coast timber corporations, primarily G-P, L-P, and Simpson, would deny that they were enabling the forests' destruction as much as they tried to deny that aerially deployed herbicides were harmful to the workers. As proof they could cite the fact that most THPs reviewed by the CDF under the decade-old Z'berg Nejedly act had been approved. Environmentalists countered that the approval process was little more than a rubber stamp under the lax guidelines

¹²⁴ Peter Morrison, in Joint Hearings, Subcommittee on Forests, Family Farms, and Energy of the Committee on Agriculture, and the Subcommittee on National Parks and Public Lands of the Committee on Interior and Insular Affairs, U.S. House of Representatives, U.S. Congress, 101st Congress, First Session, Management of Old-Growth Forests of the Pacific Northwest, 20 and 22 June 1989, pp. 270-78

¹²⁵ Sierra Club, op. cit.

¹²⁶ “Logging to Infinity”, By Chris Maser, *Anderson Valley Advertiser*, April 12, 1989.

¹²⁷ Sierra Club, op. cit.

established by the pro-Corporate Timber dominated BOF. Then, in 1983, after a battle between the environmentalists and G-P over the Sinkyone that had lasted almost as long as the existence of Z'berg Nejedly, the environmentalists won a landmark legal ruling that at long last reversed years of precedent that had established the right of private logging interests to dictate forest policy and place profit considerations ahead of environmental concerns.

The fight had been led chiefly by Robert Sutherland (known to his associates as “The Man Who Walks in the Woods”, or simply “Woods” for short) and Cecilia Gregori (nee Lanman) of EPIC. Woods had been an environmental activist since 1964 and had worked on many issues, but forestry consumed his efforts more than just about anything else. On this particular subject, he once opined:

“The rush to get the old growth has been the last great buffalo hunt, the last passenger pigeon slaughter. We’ve reached the end of the Western frontier, but the traditions of the frontier die hard. It is time to rein in the passions. Mark my words, our culture us on the threshold of what is for the most of us a long-lost frontier, the inner one.”¹²⁸

Gregori had previously been a boycott organizer for the United Farmworkers Union before becoming involved in EPIC with whom she fought many legal battles with Corporate Timber. Her quiet yet stern resolve earned her the nickname “The Velvet Hammer,” and she lived up to the moniker. On one occasion in the early part of the 1980s, Georgia Pacific had declared that a specific THP near Dark Gulch within the Sinkyone had been selectively logged, but on an inspection tour hosted by one of their RFPs, Jere Melo, Gregori noticed that not only had the company lied, they had also violated the boundaries of the THP, clearcutting all the way to the coastline. Gregori pointed this out only to be answered by Melo’s derisive and callous laughter, to which, in response, she declared right to his face, “You’re pure slime.”¹²⁹ However EPIC would have the last laugh. In 1983, in a landmark ruling that challenged the CDF’s approval of a G-P THP that threatened to clearcut the Sally Bell Grove, a judge ruled that:

“Cumulative impacts must be considered by the California Department of Forestry (CDF) in their review of timber harvesting plans (THPs). Full compliance with California Environmental Quality Act (CEQA) procedures is required in agency review of THPs. Also, the Native American Heritage Commission must be consulted if there is evidence of Native American historical sites within the THP.”¹³⁰

¹²⁸ “The Man Who Walks in the Woods”, by Andy Alm, *EcoNews*, May 1988.

¹²⁹ Harris, David, *The Last Stand: The War between Wall Street and Main Street over California’s Ancient Redwoods*, New York, NY, Random House, 1995, pages 250-51.

¹³⁰ EPIC vs. Johnson I, www.wildcalifornia.org/case-history/case-documentation/1980s/epic-v-johnson-i/

The ruling known as, EPIC vs. Johnson, was unprecedented, and it finally gave public an effective legal tool to challenge capitalist timber directly for the first time in history. The timing couldn't have been more fortuitous, because Corporate Timber was preparing to engage in its most deadly assault on the forests and the workers of the Pacific Northwest ever seen.

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.¹ 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.² 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.³ 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.⁴ 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.⁵

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

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

² “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.

³ Wodetzki, May 1, 1985, op. cit.

⁴ “Timber Outlook”, by Bob Martel, *Country Activist*, June 1988.

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

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 Environment, 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.⁶ 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!”⁷

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.⁸ 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.”⁹

⁶ 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”.

⁷ Wodetzki, May 1, 1985, op. cit.

⁸ Foster, op. cit., “Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest”.

⁹ 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.

Or as he stated more bluntly elsewhere, “If you cut the old-growth you’re liquidating the existing inventory and getting the forests into a fully managed condition.”¹⁰

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 “waferboard” 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.¹¹

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.¹²

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

¹⁰ Foster, op. cit., “Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest”.

¹¹ Wodetzki, May 1, 1985, op. cit.

¹² Foster, op. cit., “Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest”.

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.¹³ 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.¹⁴ 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.¹⁵ 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 intended to "allow historic patterns of trade without disruption" and that the provision was targeted only at preventing log exports from increasing.¹⁶ 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.¹⁷ 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.¹⁸ L-P was one of the largest log exporters operating on the North Coast, and though it

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

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

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

¹⁶ "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).

¹⁷ 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.

¹⁸ *Industrial Worker*, February 1989, op. cit.

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 1980.¹⁹ 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, 1981.²⁰ The company reopened most of the mills early the following year²¹, 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.²² While these closures were not the fault of the workers, 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.²³ In May, L-P temporarily closed its pulp mill in Samoa for the second time in as many years.²⁴ That fall, L-P conducted another round of layoffs²⁵ and a third wave of temporary mill closures in Mendocino County, in particular at their mills in Ukiah and Potter Valley²⁶ as well as its stud mills in Fort Bragg and Willits²⁷, and its Carlotta saw mill in Humboldt County until February of 1983.²⁸ A year later, L-P shuttered its mill in remote Alderpoint (in the mountains of southern Humboldt County east of Garberville) permanently.²⁹

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

²⁰ "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;

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

²² "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.

²³ "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;

²⁴ "LP to Shut Down for Two Months", *Eureka Times-Standard*, May 24, 1982

²⁵ "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;

²⁶ "LP to Shut Down Last Two Mills", *Eureka Times-Standard*, November 23, 1982.

²⁷ "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;

²⁸ "LP Closes Carlotta Sawmill", *Eureka Times-Standard*, November 2, 1982.

²⁹ "LP to Close Sawmill at Alderpoint", *Eureka Times-Standard*, January 7, 1984.

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.”³⁰

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.³¹

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.³² 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.³³ Of course, such labor intensive practices would not benefit the bottom line of corporations like L-P or the likes of Harry Merlo.

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

³¹ “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;

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

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

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 practices. 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.³⁴ 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.³⁵ The unions' sudden willingness to even think about acting independently of capital represented a potential problem for L-P.

* * * * *

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.³⁶ 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.³⁷ The demands also included a one-year contract, termination of the union health plan, mandatory 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.³⁸ 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

³⁴ "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.

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

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

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

³⁸ Wodetzki, April 24, 1985, op. cit.

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.³⁹ 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.⁴⁰

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.⁴¹ 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.⁴² 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.⁴³ 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 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.⁴⁴

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

³⁹ "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

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

⁴¹ Wodetzki, April 24, 1985, op. cit.

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

⁴³ Wodetzki, April 24, 1985, op. cit.

⁴⁴ Wodetzki, April 24, 1985, op. cit.

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.⁴⁵

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 strikebreaker 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."⁴⁶

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.⁴⁷ 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

⁴⁵ Wodetzki, April 24, 1985, op. cit.

⁴⁶ Wodetzki, April 24, 1985, op. cit.

⁴⁷ Wodetzki, May 1, 1985, op. cit.

Forest Service in 1981.⁴⁸ 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.⁴⁹ Sure enough, the unions never got their day in court. Three days following Lubber's 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.⁵⁰

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 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.⁵¹

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.⁵²

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

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

⁴⁹ Wodetzki, May 1, 1985, op. cit.

⁵⁰ Wodetzki, April 24, 1985, op. cit.

⁵¹ Wodetzki, April 24, 1985, op. cit.

⁵² Wodetzki, April 24, 1985, op. cit.

were for naught.⁵³ 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 support 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.⁵⁴

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.⁵⁵

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.⁵⁶ 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.

* * * * *

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 be as well.⁵⁷ 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

⁵³ Wodetzki, April 24, 1985, op. cit.

⁵⁴ “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.

⁵⁵ “Loggers Defend the Environment”, by Ron Guenther, *Mendocino Commentary*, November 14, 1984 and *Country Activist*, June 1985.

⁵⁶ Foster, “Part 4 – Ecological Conflict and the Class Struggle”, op. cit.

⁵⁷ “In Our Opinion”, by Barry Vogel, Mills Matheson and David Drell, *Mendocino Commentary*, February 21, 1985.

2635, which stripped control of herbicide and pesticide regulation away from counties.⁵⁸ 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.⁵⁹ This law placed spray regulation under the jurisdiction of the State Department of Food and Agriculture, which was dominated by agribusiness interests.⁶⁰ 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."⁶¹

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 2635.⁶² 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.⁶³ 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 attempts at conifer monoculture.⁶⁴ 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.⁶⁵ The corporation's disregard for life, both human and other did not sit well with environmentalists or timber workers.⁶⁶ L-P spokesman Bill Smith appeared on an environmental talk show on KMFB, a local Fort Bragg commu-

⁵⁸ 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.

⁵⁹ Bartley and Yoneda, op. cit.

⁶⁰ Martel, May 1985, op. cit.

⁶¹ Vogel, et. al., op. cit.

⁶² Martel, May 1985, op. cit.

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

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

⁶⁵ Vogel, et. al., op. cit.

⁶⁶ Morris, op. cit.

nity 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.”⁶⁷

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.”⁶⁸

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.⁶⁹ 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.⁷⁰ 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

⁶⁷ Vogel, et. al., op. cit.

⁶⁸ “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 confirmed that he was in fact I. M. Green in a phone interview with the author in 2009).

⁶⁹ Bartley and Yoneda, op. cit.

⁷⁰ Morris, op. cit.

County. Such propaganda was believable to some, at least, due to the fact that L-P donated a sizable amount to local charities.⁷¹ 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.⁷² 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.⁷³ 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.⁷⁴

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.⁷⁵ 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.⁷⁶ The workers were examined by a local physician who could not determine the source of the illness.⁷⁷ However, the effects were entirely consistent with those experienced by other timber workers and individuals exposed to aerially deployed phenoxy herbicides.⁷⁸ 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

⁷¹ Morris, op. cit.

⁷² “Timber Wars: Footloose Wobs Urgently Needed”, by Judi Bari, *Industrial Worker*, October 1989.

⁷³ Morris, op. cit.

⁷⁴ “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.

⁷⁵ Bosk, April 1985, op. cit.

⁷⁶ “The Truth About Garlon”, op. cit.

⁷⁷ Morris, op. cit.

⁷⁸ Bosk, April 1985, op. cit.

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 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.’”⁷⁹

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.⁸⁰ 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).⁸¹

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.”⁸² Unwilling to give up, she took the matter to the local press, who were actually willing to listen.⁸³ In response, spokesmen from L-P and the two gyppo operators accused

⁷⁹ Bosk, April 1985, op. cit.

⁸⁰ Lipmanson, November 7, 1985, op. cit.

⁸¹ Bosk, April 1985, op. cit.

⁸² Bosk, April 1985, op. cit.

⁸³ “The Truth About Garlon”, op. cit.

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.⁸⁴ *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.”⁸⁵

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.”⁸⁶

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.”⁸⁷ Few of them were willing to speak out, however, for fear of reprisal.⁸⁸

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 company’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

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

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

⁸⁶ Bosk, April 1985, op. cit.

⁸⁷ Bosk, April 1985, op. cit.

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

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!’”⁸⁹

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 wanted 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.”⁹⁰

The Supervisors passed a largely symbolic and ineffectual ordinance requiring only that neighboring landowners be notified before the aerial deployment of herbicides.⁹¹ The irate Mendocino County residents were outraged and refused to let this setback deter them.⁹² 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.⁹³

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

⁸⁹ Bosk, April 1985, op. cit.

⁹⁰ Martel, May 1985, op. cit.

⁹¹ Martel, May 1985, op. cit.

⁹² Morris, op. cit.

⁹³ Martel, May 1985, op. cit.

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.”⁹⁴

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.⁹⁵ 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.⁹⁶ 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!”⁹⁷ 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.⁹⁸ 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.⁹⁹

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.¹⁰⁰ 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.¹⁰¹ The failing union

⁹⁴ Martel, May 1985, op. cit.

⁹⁵ Morris, op. cit.

⁹⁶ “Letter to the Editor”, by Donald L. Kirkpatrick, Mendocino Unified School District Superintendent and Secretary of the Board, *Anderson Valley Advertiser*, May 1, 1985.

⁹⁷ Martel, May 1985, op. cit.

⁹⁸ “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.

⁹⁹ Morris, op. cit.

¹⁰⁰ Morris, op. cit.

¹⁰¹ Bartley and Yoneda, op cit.

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.¹⁰² 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.¹⁰³

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

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.¹⁰⁵ 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, 1985.¹⁰⁶ 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.¹⁰⁷ While the coalition of anti-spray protesters demonstrated against L-P at the Pacific Stock Exchange in San Francisco, the environmentalists took their case

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

¹⁰³ Morris, op. cit.

¹⁰⁴ "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.

¹⁰⁵ Morris, op. cit.

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

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

to the shareholders in Colorado.¹⁰⁸ 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.”¹⁰⁹

Merlo had also correctly gauged the fragility of the coalition of those opposed to L-Ps 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.

¹⁰⁸ Morris, *op. cit.*

¹⁰⁹ Lipmanson, October 24, 1985, *op. cit.*

Each and every one of the 90 union members, who had spoken out at the shareholders' meeting was soon replaced.¹¹⁰

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.¹¹¹ 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 the IBEW.¹¹² 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.¹¹³ 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 14.¹¹⁴

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.¹¹⁵ 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.¹¹⁶ 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.¹¹⁷ Even when they won partial gains, they lost ground,

¹¹⁰ "Locals Journey to Colorado Meeting", op. cit.

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

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

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

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

¹¹⁵ "Lumber Strikes Splinter Northwest; Unions Slump", *EcoNews*, August 1985.

¹¹⁶ "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.

¹¹⁷ Foster, op. cit. page 20.

as did the IWA members at Simpson's Korbel and Arcata facilities, who won modest wage increases—less than the union had wanted—but were subjected to the incentive scheme.¹¹⁸

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.¹¹⁹ The company threatened a lockout from the start, demanding that the union, "better play ball, or else."¹²⁰ 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.¹²¹ 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.¹²²

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.¹²³ During the life of the contract, the company modernized the mill and made cut backs anyway,¹²⁴ and ultimately, IWA International President Bill Hubble would denounce the profit sharing scheme and urge IWA locals to oppose them.¹²⁵ 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 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.¹²⁶

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:

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

¹¹⁹ Interview with Anna Marie Stenberg, January 23, 2010.

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

¹²¹ 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.

¹²² Atkinson, et. al., op. cit.

¹²³ Atkinson, et. al., op. cit.

¹²⁴ "Damage Control", by Mike Koepf, *Mendocino Commentary*, November 16, 1989.

¹²⁵ Atkinson, et. al., op. cit.

¹²⁶ "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.

“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?”¹²⁷

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.’”¹²⁸

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 (especially 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.”¹²⁹ Perhaps in response to the burst of joint protest of greens

¹²⁷ Bosk, April 1985, op. cit.

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

¹²⁹ Lipmanson, November 7, 1985, op. cit.

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.¹³⁰

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.¹³¹ 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).¹³² Many residents, the City Council, and Mayor of Rio Dell initially protested Barnum's intent¹³³, but were eventually "convinced" by the Humboldt County Agricultural Commissioner's office that the spraying "posed little danger".¹³⁴ No doubt the fact that businesses interests—including the Fortuna Chamber of Commerce, which represented both Corporate Timber and tourist interests—did what they could to blunt opposition to the spraying.¹³⁵ 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 victory¹³⁶, but the cost was bad blood between them and the unions.¹³⁷ 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.¹³⁸ 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, some-

¹³⁰ "Simpson Does Something Right", by Ocean Madrone, *Country Activist*, June 1985.

¹³¹ "Murderville", by Judi Bari, *Anderson Valley Advertiser*, April 22, 1992.

¹³² "Hydesville 2,4-D Spraying Protested", by Mary Barnett, *Humboldt Beacon and Fortuna Advance*, February 18, 1987.

¹³³ "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.

¹³⁴ "Rio Dell Relaxes Over 2,4-D", by Mary Barnett, *Humboldt Beacon and Fortuna Advance*, March 21, 1987.

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

¹³⁶ Lipmanson, November 7, 1985, op. cit.

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

¹³⁸ "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.

thing was afoot just to the north in Humboldt County that would make Harry Merlo's union busting look like child's play.

4. Maxxam's on the Horizon

“There’s a little story about the golden rule: those who have the gold, rule”

—Charles Hurwitz speaking to Pacific Lumber employees in December 1985

*In the town of Kilgore, Texas was born a tailor's son,
From the killing of the Indians he learned how the west was won.
His name was Charlie Hurwitz and he terrorized the land,
His killing field was Wall Street and his gang was called Maxxam...*

—lyrics excerpted from *Maxxam's on the Horizon*, by Darryl Cherney

By the fall of 1985, the Pacific Lumber Company (PL), based in southern Humboldt County, had existed for over 115 years and remained a virtual eye in the hurricane of class conflict, capitalist boom and bust, and ecological battles that raged throughout the Pacific Northwest. The company had been established in 1869 along with the company town of Forestville with the help of two Nevada venture capitalists named A. W. MacPherson and Henry Wetherbee for a grand total of \$750,000.¹ It was, in fact, the first foray by absentee owners into the redwood lumber industry of Humboldt County, predating even the California Redwood Company. Although it didn't commence actual lumber operations until 1887, it grew quickly, and by the last decade of the 19th Century, it was the largest lumber company in the county.² By 1904, P-L owned 40,000 acres of timberland and its mill (“A”) operating on two ten-hour shifts, could produce 300,000 feet of cut lumber daily. By 1909, the construction of a second mill (“B”) increased the company's productivity to a whopping 450,000 feet per day with one eight-hour shift working in both mills. The milling complex was one of the largest such facilities on the Pacific Coast. The town's population increased from 454 in 1890 to over 3,000, and the company's workforce numbered at least 2,000.³

There had been but one significant change in Pacific Lumber's ownership over its history. In 1905, Maine lumberman Simon J. Murphy acquired the company with the help of east coast investors.⁴ Upon acquiring the company he changed the name of the town to Scotia, in honor of his family's roots in Nova Scotia.⁵ It was under Murphy's

¹ “Company Town Threatened”, by Ruthanne Cecil, *Country Activist*, November 1985.

² Cornford, Daniel, *Workers and Dissent in the Redwood Empire*, Philadelphia, PA, Temple University Press, 1987, page 154.

³ Cornford, op. cit.

⁴ “Great Grandson of P-L Founder Likes Employee Ownership Plan”, by Marie Gravelle, *Eureka Times-Standard*, September 25, 1988.

⁵ Cecil, November 1985, op. cit.

leadership that the company instituted its “welfare-capitalist” paternalism in a clear attempt to stave off attempts by the IWW (and other unions) to gain a foothold among Pacific Lumber’s employees.⁶ In an effort to ensure that peace would reign supreme, the company closed its saloon, “an infamous whorehouse and gambling parlor” known as the “Green Goose”, in 1910, and replaced it with a bank. That establishment was later transformed into Bertain’s Laundry, which would at one time become the largest cleaning establishment in the county.⁷ By the second decade of the 20th Century, Scotia was one of the nation’s most developed company towns, boasting of two churches, two banks, a saloon, a hospital, a schoolhouse, a library, a clubhouse, and a large company owned general store. It also included several cultural and social institutions, including four fraternal orders and a volunteer fire department.⁸

The IWW spared no vitriol at the obvious—and essentially overt—attempt by the employing class to steal their thunder, but the scheme worked.⁹ The company wasn’t ever entirely free of dissenters, and there was at least one attempt at a wildcat in 1946 during the Great Strike.¹⁰ Yet, the company remained nonunion throughout its history, resisting organizing attempts by the IWW, various AFL unions, and the IWA, even though ironically it was the threat of unionization that had inspired P-L to implement its benevolent dictatorship in the first place.¹¹ When Murphy’s grandson, Albert Stanwood Murphy, assumed the role of Chairman of the P-L board of directors, he carried on and enhanced his grandfather’s practices.¹²

While the Murphy family was anti-union, they were far more conservation minded than most and they instilled that ethic into Pacific Lumber’s logging practices. This didn’t happen overnight of course. It took some prodding from Save the Redwoods League in the 1920s to convince them to consider the preservation of old growth redwoods, but unlike most timber companies, P-L embraced sustainable logging. Under the direction of Albert S. Murphy, who inherited the company in 1931, Pacific Lumber introduced selective logging practices as opposed to clear cutting, and limited old growth logging to no more than 70 per cent of inventory, and the company continued the practice from then on. The rest of the timber industry scoffed at P-L’s methods, but the environmental movement hailed them as revolutionary.¹³ It bucked the economic trends of capital, adopting one of the most sustainable logging practices in all of the Pacific Northwest, so that by 1985, it possessed the largest inventory of privately owned

⁶ Article by A. E. Blockinger, *Pioneer Western Lumberman*, #56, July 15, 1911, quoted in Cornford, op. cit.

⁷ “The Takeover”, by David M. Abramson, *San Francisco Examiner, Image*, July 13, 1986.

⁸ Cornford, op. cit., page 154.

⁹ Cornford, op. cit., pp. 191-216. Emphasis added.

¹⁰ Author’s interview with Pete Kayes, October 11-13, 2009.

¹¹ Cornford, op. cit., pp. 191-216. Emphasis added.

¹² “PL Shareholders Assail Stock Offer”, *Eureka Times-Standard*, October 28, 1985.

¹³ Harris, David, *The Last Stand: The War between Wall Street and Main Street over California’s Ancient Redwoods*, New York, NY, Random House, 1995, Pages 16-18.

old growth redwood left in the world.¹⁴ Every year it would sell approximately 40 to 50 million board feet of redwood lumber without depleting its standing timber resources, and as time passed, those vast stands of old growth redwoods became the envy of the other companies. Bud McCrary, vice president of Big Creek Lumber in Santa Cruz in 1985 declared, “Pacific Lumber has done an excellent job. Their concept of conservative forest management has paid off for them...They’re the guys in the white hats in the logging business. They’ve been a long term company with high ideals.”¹⁵

Pacific Lumber also eschewed short-term profit in favor of long term economic stability. In 1955, when logging and mill related deaths were at a major peak, and often accepted as the cost (though, of course, not to the employing class) of doing business, the company adjusted its production practices which resulted in an 80 to 90 percent reduction in untimely fatalities. After a major flood in Humboldt County in 1964, P-L declined to claim assessed valuations. They could have legally done this, but in doing so would have deprived the county’s general fund of much needed revenue. Certainly, P-L’s sustainable logging meant less short-term profit, but by all estimations yielded better long-term gain. A marked contrast could be seen, for example, in the company’s logging in the Mattole and Eel River watersheds which, by contrast to the other logging companies in the same area were as different as night and day.¹⁶ The company applied this philosophy to its workforce as well. They rented the houses in Scotia to its employees at below market rates and maintained a “no layoff” policy during economic downturns in the lumber market.¹⁷

Pacific Lumber was an icon of stability, not at all like Georgia-Pacific, Louisiana-Pacific, Simpson, or Boise-Cascade. Although Pacific Lumber workers also lived in nearby towns, including Arcata, Carlotta, Eureka, Ferndale, Fortuna, Hydesville, Rio Dell, the majority of the workers desired to live in Scotia. Albert Murphy’s son, Stan-wood A. Murphy, described the benefits of life in Scotia in 1971 thusly:

“After (a new employee) has put in ninety days on his mill job, he can get on the list to move into Scotia, where a comfortable one bedroom company bungalow, with a garden and a lawn on a quiet residential street rents from under \$60 a month (in 1971). Water and sewage and garbage removal are free. Every five to seven years, the company will repaint his house, inside and out, free. As he moves up in the company, he can move to a large house. He has good accident and health coverage, and a choice of a pension

¹⁴ “Timber Wars: Footloose Wobs Urgently Needed”, by Judi Bari, *Industrial Worker*, October 1989.

¹⁵ “Pacific Lumber Sale Fells a Tradition”, By John Markoff, *San Francisco Examiner*, October 27, 1985. In full disclosure, McCrary was a shareholder of the company who publically opposed Maxxam’s takeover.

¹⁶ “PL Has Done Many Good Deeds”, letter to the editor by Samuel M Glenn, *Eureka Times-Standard*, November 7, 1985.

¹⁷ “Ravaging the Redwood: Charles Hurwitz, Michael Milken, and the Costs of Greed”, by Ned Daly, *Multinational Monitor*, September 1994.

plan or an investment program...If his son or daughter qualifies for a four-year-college, he or she will receive a thousand-dollar scholarship from the company.

"If he chooses to reject the moderate's course, if he is frequently absent from work, guilty of drunkenness, fighting or reckless driving, if he is an offensive neighbor, mistreats his family, or gets himself heavily into debt, he will feel the pull of the company reins. A man who has applied for a house in Scotia may be kept waiting six months, a year, or forever, because of his behavior; a man living in a company house, who fails to give the yard a minimum of care, may find a company garden crew coming by to cut his lawn and weed his flowers for him, a service for which he will be billed. The pressure is subtle, but firm.

"...Pacific Lumber deducts eighty-five dollars a month from his check for rent, water and garbage. He pays no personal property tax. When something goes wrong with his household plumbing, if one of the kids breaks a window or the electricity goes out...just calls the company plumbing shop or the carpentry shop or the electrical shop, a man is sent out promptly, and there is no bill...

"We're a paternalistic company. I know that's a dirty word, but it's accurate. We lose money on the town. We figure it's worth it, to keep a good crew here."¹⁸

Virtually every board foot composing Scotia's more than 272 houses, and each timber in its hospital, all of the siding enclosing the Scotia Inn, and all of the logs that provided the columns for its elaborate Winema Theater was made of redwood harvested from its holdings and milled in its enormous mill complex. The company boasted of 300 acres of log ponds and debarking equipment, and stacks of drying lumber a mile long and a quarter mile wide.¹⁹

* * * * *

For a time, it seemed, the Murphy dynasty were as unchanging and as steadfastly enduring as the ancient redwoods themselves. Albert Stanwood Murphy ran the company until 1961 and was succeeded by his son, Stanwood A. Murphy Sr. However, in 1972, Stanwood succumbed to a heart attack and died in Scotia in the home of one of Pacific Lumber's workers. Although Stanwood's sons Stanwood Murphy Jr., affectionately known as "Woody", born in 1951, and his younger brother Warren, born in 1953, were considered scions of the dynasty, ironically under P-L's paternalistic practices, they were also considered far too young to grab hold of its reins. Both of Stanwood's sons had been encouraged, by their father, to work their way up through the ranks of

¹⁸ Wilkerson, Hugh and John Van der Zee; *Life in the Peace Zone: An American Company Town*, New York; MacMillan, 1971.

¹⁹ "Lost in the Woods", by Greg Goldin, *Los Angeles Weekly*, September 7, 1990.

the company in order to prove their worth, and—though they were literally the favored sons with an almost guaranteed inside track—their father’s untimely death happened while they were far from the proverbial finish line.²⁰ Instead, the board of directors promoted two higher seniority executives, in succession, to follow Stanwood Murphy. Then they hired the third, company accountant Gene Elam, from an outside source, Arthur Young.²¹ Their choice had been partly motivated by a desire to diversify the company’s assets in order to ensure long term stability. Given Stanwood’s death, the loss of a Murphy at the helm—at least for a time—raised hitherto unknown concerns about the future of the venerable lumber concern.²²

Under Elam’s watch, Pacific Lumber’s timber production fared very well, and yet it also continued to follow the Murphys’ practices of sustainable forestry. By the fall of 1985, the company owned approximately 193,000 acres of timberlands in Northern California. Almost 145,000 acres of that was redwood, and the remainder was Douglas fir. Most estimates suggested that at least 12,000 acres of old growth redwood were owned by P-L, and that represented 40 percent of all remaining old growth at the time. P-L carried timberlands on its books at cost—\$34 million, or \$176 per acre. The land it owned, however, was worth \$25,000 per acre of old growth, and \$1,000 per acre for new growth.²³ Of its lumber production, the split was 30 percent non-redwood; 35 percent old-growth redwood; and 35 percent residual or younger growth redwood at the time.²⁴ The 800 P-L employed in Scotia were but a fraction of its entire workforce.²⁵

Scotia seemed like an island that had managed to escape the modern hyper capitalist timber industry. At one time there had been as many as 200 company towns located throughout the American west, but even as early as 1980, Scotia had become a living relic.²⁶ Even in the days when it wasn’t, Scotia was unique, representing a genuinely happy kingdom in contrast to the slave labor conditions that existed in many other company towns.²⁷ After the closing of the last working timber mill in McCloud, California at the foot of Mt. Shasta in Siskiyou County in 1979 by Champion International, Scotia became the last existing lumber company owned company town in the United States of America. A workforce of nearly 800 worked at the Scotia mill, a third of who lived in the town with their families.²⁸ In addition, all of the support work, from the local grocery market, to the street and park maintenance, to the blacksmiths (whose job it was to forge logging and milling tools), to the janitors and office staff

²⁰ Abramson, July 13, 1986, op. cit.

²¹ Harris, op. cit., page 30.

²² Abramson, July 13, 1986, op. cit.

²³ Cecil, November 1985, op. cit.

²⁴ Cecil, November 1985, op. cit.

²⁵ “P-L Agrees to Buyout Deal; New York Firm’s Offer of \$40-a-Share Accepted”, by Lewis Clevenger, *Eureka Times-Standard*, October 23, 1985.

²⁶ Abramson, July 13, 1986, op. cit.

²⁷ Markoff, October 27, 1985, op. cit.

²⁸ Cecil, November 1985, op. cit.

were employed by P-L.²⁹ Still, as the IWW had tried to point out, much of this serenity was an illusion, an outlier of an exception that went against the rule of the realities of Corporate Timber, and as it turned out, P-L's desire to preserve its isolation would ultimately lead to its undoing.

Elam *did* diversify the company in the early 1970s, but only to a point. He began the process of reducing the company's huge cash reserves (which Stanwood Murphy Sr. had believed made the company prone to attract a potential corporate raider), by investing them in a huge pension fund for the company's employees he helped create.³⁰ By 1985, P-L had become the leading producer of both gas and plasma cutting and welding equipment. This portion of the business contributed 58 percent of P-L sales and 46 percent of its operating income in 1984. Lumber accounted for only 28 percent of the company's sales that year, but 50 percent of its net income.³¹ The company's timberland was worth \$1 billion, according to some estimates; its cutting and welding division was worth \$250 million. Additionally P-L owned 3,400 acres of Sacramento Valley farmland, a downtown San Francisco headquarters building, three sawmills (including Mills A and B in Scotia as well as another in Fortuna), and 274 homes.³² In spite of Elam's best efforts, however the company was still very "cash rich", its pension fund overfunded by approximately \$60 million, and its numerous assets could be quickly liquidated in a hostile takeover.³³

Furthermore, in 1975 the owners had made what seemed like an innocuous decision to list the company on the New York Stock Exchange. In 1984, P-L earned \$44 million on revenues of \$281 million.³⁴ As a result, the company paid out a large chunk of its value to stockholders. In 1984, dividends equaled 61 percent of net income.³⁵ To prevent a takeover, none of its shareholders, including the Murphy's family members owned more than five percent of its stock.³⁶ Analysts estimated the value of the company's assets at \$50 to \$70 per share³⁷, but due to its sustainable forestry practices and its paternalistic policies, it traded at only \$29 in the fall of 1985.³⁸ Pacific Lumber (or "PALCO" as it came to be known) was an ideal business if one assumed that businesses described in economic textbooks actually existed. In the real world however, under the increasingly speculation oriented phase of capitalism ushered in by the economic policies of Ronald Reagan and Margaret Thatcher, Pacific Lumber

²⁹ Pete Kayes, Unpublished interview, by Steve Ongerth, October 11-13, 2009.

³⁰ Abramson, July 13, 1986, op. cit.

³¹ "Houston Tycoon Plans Bid for Pacific Lumber", by Kathleen Pender, *San Francisco Chronicle*, October 1, 1985.

³² Cecil, November 1985, op. cit.

³³ "Ravaging the Redwood: Charles Hurwitz, Michael Milken, and the Costs of Greed", by Ned Daly, *Multinational Monitor*, September 1994.

³⁴ Pender, October 1, 1985, op. cit.

³⁵ Cecil, November 1985, op. cit.

³⁶ Harris, op. cit., page 27.

³⁷ Pender, October 1, 1985, op. cit.

³⁸ Abramson, July 13, 1986, op. cit.

was a plum ripe for the picking.³⁹ Still Scotia and Pacific Lumber carried on, much as they had before, somehow seemingly protected from the pressures of the outside world, much like Rivendell in J.R.R. Tolkien's fictional world of Middle Earth.

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All of that would come to an abrupt end in the middle of autumn of 1985. Throughout that summer there had been hints that somebody was taking an unusually strong interest in Pacific Lumber, but the clues were so subtle, so hidden that they escaped the notice of the company's ten member board of directors—which included Suzanne Beaver (Stanwood Murphy's widow), Gene Elam, and the latter's predecessor, Robert Hoover, whose duties included monitoring such activity. This was often difficult, because even then there were thousands of trades made daily, and even a single buyer taking a particular interest in one company might not have any major significance. There was no way that the stewards of the Murphy Dynasty could know that a single buyer who purchased just under a million shares of the company—just below the five percent maximum threshold established by the recently passed Hart-Scott-Rodino act—was anything more than a typical player in the rustle and bustle of the New York and Pacific Stock Exchanges. The casinos of Western Capitalism were a fair distance away from the everyday concerns of the Pacific Lumber Company and its relatively happy kingdom. Then again, it might have all of the significance in the world, but there was no way to be sure.⁴⁰

Then, in the last days of September, rumors began to circulate much more heavily among the shareholders and workers of Pacific Lumber and the residents of Humboldt County that someone—a mysterious financier from back east—was making a serious play for the company. Normally Pacific Lumber's stock traded at about 25,000 shares daily, but on Monday, September 25, 1985, 100,000 shares changed hands. Usually the value of the shares fluctuated by no more than a dollar per day⁴¹, but the next day the stock rose from \$29 per share to \$33, and reached \$38 the following Monday, September 30, at an unheard of volume of 350,000 shares.⁴² Most of the company's stock was owned by small shareholders and had been in their families for many years. None of them were likely to be engaging in such unusual activity. It was therefore not surprising at all that the sudden peak in activity set off alarm bells.⁴³ One of the P-L board of directors' primary duties was to ferret out and investigate such rumblings should they prove to be more than just static, but what they didn't know was that

³⁹ Cecil, November 1985, op. cit.

⁴⁰ "The Kozmetsky-Hurwitz Connection: A Tale of Corporate Raiders in Capitalist America by Scott Henson and Tom Phillpott, *Polemicist*, May 1990, pages 8-9.

⁴¹ "The Bottom Line: Corporate Insider Trading is Running Wild", by Dan Dorfman, *San Francisco Chronicle*, November 2, 1985.

⁴² "PL Facing Unfriendly Buy-Out? No Comment", *Humboldt Beacon and Fortuna Advance*, October 1, 1985.

⁴³ Pender, October 1, 1985, op. cit.

those responsible for the unusual trades had done their homework well in advance and knew very well how to mask their activity.

Then, quite out of the blue, the man who had the answer sought out the one most responsible for asking the question. Early on the morning of September 30, 1985, just after 5:30 AM, a man named Charles E. Hurwitz contacted Pacific Lumber President and Board Chair Gene Elam revealing his plans to purchase the old lumber company for \$746 million.⁴⁴ He was the CEO of a New York based mortgage firm known as the Maxxam Group and he had already acquired 994,000 shares of Pacific Lumber's common stock (just under 5 percent of the total) and was proposing to purchase the rest.⁴⁵ He was offering \$36 per share for the company's estimated 21 million shares of common stock, for a total of \$823 million.⁴⁶ Hurwitz declared Maxxam would finance the purchase offer with \$700 million in privately placed debt and bank financing with the rest to be provided from general corporate funds.⁴⁷ \$400 million of the debt securities would be placed by Drexel Burnham Lambert (DBL), Owned by one Michael Milken, who was acting as the dealer manager of the tender offer, while Irving Trust Company would lend up to \$300 million.⁴⁸ Meanwhile, Maxxam announced that it was boosting its stake in another publically traded firm, UNC Resources, to 19 percent and was seeking regulatory approval to acquire as much as 51 percent of *that* company, perhaps in order to use its \$102 million in cash reserves to acquire P-L.⁴⁹ Elam, acting on advice from the P-L board's corporate legal counsel Ed Beck publically declared that "he could not comment" on the rumor's veracity, but privately he knew it was the cold, hard truth.⁵⁰ Demonstrating that he was quite serious, Hurwitz upped his offer to \$38.50 per share on October 1.⁵¹

He may have been a man of mystery to the people of Scotia, but in the world of high finance Charles Hurwitz was well known for hostile takeovers and greenmail.⁵² He was not an old man, in fact he was only 45, but he had already earned a reputation for being one of the most ruthless speculators and unscrupulous businessmen in the nation, skilled at using millions of dollars to control billions in corporate assets. He was an expert raider and greenmailer, ruthless and unyielding, "adept at acquiring a minority stake in a company and then using it to gain control or to force the company to buyout

⁴⁴ Pender, October 1, 1985, op. cit.

⁴⁵ Cecil, November 1985, op. cit.

⁴⁶ "PL is Target of Takeover Attempt", *Eureka Times-Standard*, September 30, 1985. Maxxam is misspelled "Maxam" in this anonymously authored article.

⁴⁷ "Offer Sweetened for Pacific Lumber", *San Francisco Chronicle*, October 3, 1985.

⁴⁸ "Ravaging the Redwood: Charles Hurwitz, Michael Milken, and the Costs of Greed", by Ned Daly, *Multinational Monitor*, September 1994.

⁴⁹ Pender, October 1, 1985, op. cit.

⁵⁰ "PL Facing Unfriendly Buy-Out? No Comment", *Humboldt Beacon and Fortuna Advance*, October 1, 1985.

⁵¹ "Firm Hikes Price of P-L Stock Offer", *Eureka Times-Standard*, October 2, 1985.

⁵² "PL Convinced Buy-Out May Be a "Greenmail", by John Ponce, *Humboldt Beacon and Fortuna Advance*, October 15, 1985.

his position for a profit,” and like Harry Merlo, not adverse to skirting the boundaries of the law when it suited him.⁵³ Even among the capitalist class, Hurwitz and his ilk had been considered extreme, perhaps best personified by the character of Gordon Gekko in the 1987 Oliver Stone movie *Wall Street*. There was some speculation by Standard & Poor’s *Stock Reports*, that he had targeted Pacific Lumber because acquiring it would have diversified Maxxam’s portfolio, allowing him to avoid filing with the Securities and Exchange Commission (SEC) as an investment company, which carried with it a much more stringent set of regulations.⁵⁴ However, Maxxam was just a piece of Hurwitz’s vast financial empire, which was built on three key investment bases that were intertwined in a complex financial ownership arrangement designed to shelter and protect assets and avoid scrutiny. At the time, Maxxam was the name of his real estate company based in New York City, while his other two divisions were Federated Development Company in Houston and MCO Holdings in Los Angeles. His business holdings included 13 shopping centers in western New York State, a large savings and loan in Texas, a large resort in Puerto Rico, and much more.⁵⁵

Hurwitz had built this empire quickly and mercilessly. He was a self-described farm boy from eastern Texas, but at age 24 he opened his first brokerage, a mutual fund called Summit Group, on Wall Street and created a \$4 billion oil, real estate, and financial empire. In 1971, while managing Summit, he was charged with violating antifraud regulations in connection with stock trading. The matter was resolved in his favor when he signed a consent decree without admitting guilt. Seven years later, however, after an insurance company he owned collapsed, he was charged with mismanagement and fraud by government regulators. Those charges were also dropped.⁵⁶

Since he had already earned a reputation as a calculating and brutal wheeler and dealer, he began to keep a reclusive profile, rarely granting interviews or making public appearances. But, while Hurwitz may have *personally* been incommunicado, he was as active as ever in the business world. In 1978, he began accumulating stock in the L.A. based McCulloch Corporation, which had began as a chainsaw company but had long since diversified its financial activities. At that time, the company was drowning in debt and hamstrung by litigation. Hurwitz acquired 13 percent of its shares, valued at a total of \$8 million. In spite of heavy opposition from McCulloch’s old guard, Hurwitz successfully placed two of his lieutenants, Teledyne cofounder George Kozmetsky and New York attorney Ezra Levin on its board of directors. He then bided his time until 1980, engineering a coup and taking over its chairmanship.⁵⁷ According to one

⁵³ Cecil, November 1985, op. cit.

⁵⁴ “PL Merger Foes Win More Time: Supreme Court Justice Bars Purchase”, by Lewis Clevenger, *Eureka Times-Standard*, November, 26, 1985.

⁵⁵ “Now He’s After Pacific Lumber Co.”, by John Markoff, *San Francisco Examiner*, November 3, 1985.

⁵⁶ Markoff, November 3, 1985, op. cit.

⁵⁷ Markoff, November 3, 1985, op. cit.

McCulloch manager, “Charles came across as so warm and caring that it took almost two years to realize we’d lost control.”⁵⁸

With the return to neoclassical laissez faire capitalism in the 1980s, extremists like Merlo and Hurwitz were no longer as reviled among their class, and even though they alarmed their fellow capitalists by pushing the envelope, the latter secretly welcomed the financial benefits such activity brought about. Within this increasingly dog-eat-dog atmosphere, Hurwitz was as busy as ever. Under his leadership, the McCulloch board’s first act was the elimination of monthly management committee meetings, the termination of management’s costly stock-option plan, and the sale of its 14 jets. Hurwitz then spun off McCulloch’s energy division, renaming it MCO Resources, and sold the remainder, including its coal properties, for a \$115 million during the energy boom at the end of the Carter Administration. Then, in 1982, Hurwitz used McCulloch, in which he controlled 60 percent of the company’s shares, as a vehicle to capture Simplicity Pattern Company, a sewing pattern producer for \$48 million. Like Pacific Lumber, Simplicity was cash-rich, with a sizable pension plan.⁵⁹ Hurwitz took his profit by reducing the employees’ annual pension fund allocation—which had remained unchanged for 37 years—from \$10,000 to \$6,000, even after promising to leave it untouched.⁶⁰ He then offloaded the Pattern Division to another company, Triton Group, renaming the remainder Maxxam in 1984.⁶¹ Hurwitz retained 11 percent of the old Simplicity Pattern company and transformed Maxxam into the real estate investment company it was now known as through additional acquisitions.⁶²

Beginning in 1983, Hurwitz fought a decade long battle with the southern California town of Rancho Mirage. Located east of Palm Springs, it was known as “the Playground of Presidents”, and was one of the wealthiest municipalities in the United States. Hurwitz attempted to finance the construction of a Ritz Carlton Hotel and estate housing on the lambing grounds of the endangered bighorn sheep that lay within the city limits. The bighorn were well loved and had been chosen as the town’s official emblem, even to the point of being embossed on the town’s business cards. Unbeknownst to his fellow shareholders, Hurwitz used worthless collateral from another one of his companies to finance the purchase of the land.⁶³ Hurwitz initially had the support of former president Gerald Ford and rubber-fortune heir Leonard Firestone as partners.⁶⁴ The residents of Rancho Mirage on the other hand, many of them famous actors and entertainers, including Frank Sinatra and Susan Marx (Harpo’s widow), were incensed, and fought a long a bitter battle with the Texas financier. They overwhelmingly passed a ballot initiative to stop the construction of the hotel and housing, in reaction to

⁵⁸ Abramson, July 13, 1986, op. cit.

⁵⁹ Markoff, November 3, 1985, op. cit.

⁶⁰ Abramson, July 13, 1986, op. cit.

⁶¹ From www.jailhurwitz.com, by Darryl Cherney, 1999.

⁶² Markoff, November 3, 1985, op. cit.

⁶³ From www.jailhurwitz.com, by Darryl Cherney, 1999.

⁶⁴ Markoff, November 3, 1985, op. cit.

which Hurwitz sued the city.⁶⁵ In a moment of fearfulness, the city council caved in to Hurwitz, anxious that the city might go bankrupt in a protracted legal battle with the financier, who seemingly had deep pockets.⁶⁶ Ironically, Hurwitz's fellow shareholders eventually sued him—in 1992—for \$30 million for misrepresenting the nature of the collateral, which turned out to be worthless, but that time the hotel had been built and the lambing ground destroyed.⁶⁷

Hurwitz was far from finished, however. In 1984, he threatened a hostile takeover of Castle & Cooke, while the latter's management was mired in a failed attempt to acquire Dr. Pepper.⁶⁸ Hurwitz acquired 11.8 percent of the company's stock, and, in an act of greenmail, forced the shareholders to buy back the stock he had purchased at \$70.8 million, a 25 percent premium above the market price.⁶⁹ Hurwitz walked away with approximately \$9 million in profit for a mere three months' effort, and left an empty shell in his wake. The now emaciated Castle & Cooke merged with Flexi-Van Corporation in early 1985.⁷⁰

Signs everywhere pointed to Hurwitz engaging in similar machinations to acquire P-L, and he was evidently prepared for every eventuality. Though the venerable lumber company was a juicy target for a takeover, its directors had thought they had taken appropriate counter measures, including incorporating various protective clauses in the company's bylaws—such as a requirement for 80 percent shareholder approval of a sale of the company—to ensure that it was still a more difficult takeover opportunity than most.⁷¹ Hurwitz had purchased five percent of the company's common stock already, but he could not immediately acquire more even if he had the money, because in doing so he would have violated Hart-Scott-Rodino and would also have to receive permission from a supermajority of the P-L's stockholders.⁷² Clark Bowen, vice president and resident manager of Shearson Lehman / American Express in Eureka, was certain that Maxxam was driving up P-L's stock in another greenmail attempt, but in retrospect, that may have merely been Hurwitz's fallback position. The Texas raider had much bigger plans for Pacific Lumber. On Thursday, October 17, two weeks after the initial spike, profit-takers drove the P-L stock to a high of \$40 per share before closing at \$39 at the conclusion of the day's trading.⁷³ Even the New York Stock Exchange's normally permissive watchdogs took notice of the activity and initiated an investigation into the unusually heavy trading that took place and by their own estimations “uncovered

⁶⁵ From www.jailhurwitz.com, by Darryl Cherney, 1999.

⁶⁶ “Woody Murphy Wants No Sale”, by Leslie Ridgeway, *Humboldt Beacon and Fortuna Advance*, November 2, 1985.

⁶⁷ From www.jailhurwitz.com, by Darryl Cherney, 1999.

⁶⁸ Markoff, November 3, 1985, op. cit.

⁶⁹ Pender, October 1, 1985, op. cit.

⁷⁰ Markoff, November 3, 1985, op. cit.

⁷¹ Harris, op. cit., pages 35-36.

⁷² Ponce, October 15, 1985, op. cit.

⁷³ “Profit-Taking Produces Heavy P-L Stock Trading”, by Lewis Clevenger, *Eureka Times-Standard*, October 18, 1985.

significant evidence of insider trading” and stock parking, but chose not to pursue the matter further.⁷⁴

That Hurwitz had silent partners in his takeover efforts was evident, the only questions were how many there were and their identities. In time, it would be revealed that one of these shadowy allies was Boyd Jeffries, chair of the Los Angeles brokerage firm Jefferies Group, Inc., who later plead guilty to parking stock for the former.⁷⁵ Hurwitz instructed Jefferies, to purchase \$40 million worth of P-L stock, worth about 2.3 percent of the company’s total value, to avoid violation of Hart-Scott-Rodino.⁷⁶ On September 27, P-L stock was trading at \$34 a share, but Jeffries sold his shares of the stock to MCO Holding Company for an extremely charitable amount of \$29.10 a share, which, considering the volume, was one of the most “philanthropic stock sales ever seen on Wall Street.”⁷⁷ Evidently, Jeffries’s purchase had been designed to hold the stock for Hurwitz, after the latter had reached the Hart-Scott-Rodino threshold⁷⁸ and was anxious to acquire P-L.⁷⁹ Hurwitz had gambled, however, on the board of directors being unaware of the 80 percent supermajority requirement (since P-L had never seriously been the target of a takeover during their tenure), hoping they would instead assume that only a simple majority was needed.⁸⁰ Hurwitz had guessed correctly, but he had an unexpected complication.

Another mysterious figure involved in Maxxam’s stealthy acquisition of Pacific Lumber’s stock was none other than the infamous Wall Street speculator Ivan Boesky. Allegedly unbeknownst to Hurwitz at first, DBL’s Michael Milken instructed Ivan Boesky to *also* purchase nearly 5 percent of P-L’s stock, which he did just prior to Hurwitz making his initial move. Boesky eventually made a tidy profit of \$950,000 from this venture, and it explained the initial spike in P-L’s trading activity.⁸¹ This was Milken’s attempt to hedge his bets, just in case Maxxam was unsuccessful in its attempts to convince the P-L board to agree to its tender offer, and it also theoretically shielded DBL from charges of stock parking.⁸² Boesky, who *would* later be implicated for insider trading that netted him several million dollars, and reveal all of these connections to the SEC was to Milken as Jefferies was to Hurwitz.⁸³ Milken’s and Boesky’s machinations almost doomed the deal however, because other Wall Street sharks unconnected to the collusion had sensed an opportunity and jumped into the fray on Thursday, September

⁷⁴ Daly, September 1994, op. cit.

⁷⁵ Daly, September 1994, op. cit.

⁷⁶ Henson and Phillpott, May 1990, op. cit.

⁷⁷ Daly, September 1994, op. cit.

⁷⁸ Henson and Phillpott, May 1990, op. cit.

⁷⁹ “Liquidating the Last Redwood Wilderness”, by Greg King, *Earth First! Journal*, Lughnasadh / August 1, 1987.

⁸⁰ “Eureka Lawyer Files Suit to Rescind P-L Takeover”, by Marialyce Pedersen, *Humboldt Beacon and Fortuna Advance*, October 28, 1988.

⁸¹ “Pacific Lumber Suit Tossed Out”, by Ted Hughes, *San Francisco Chronicle*, November 2, 1985.

⁸² Harris, op. cit., pages 67-78.

⁸³ Hughes, November 2, 1985, op. cit.

26 threatening to drive the price of P-L's stock up beyond Hurwitz's planned tender offer. Ironically, Hurwitz was saved by Mother Nature, of all things, in the form of Hurricane Gloria which shut down the stock market on Friday, September 27. None of this information had been uncovered by the P-L directors either. When trading resumed on Monday, Hurwitz made his move.⁸⁴

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Hurwitz *also* apparently had silent partners *within* Pacific Lumber, or at the very least he could count on specific key personnel to assist him in these efforts. One of his most willing collaborators was an ambitious up and coming executive by the name of John Campbell. In 1967, Campbell, a native of Australia, had married Cindy Carpenter, the daughter of one of the current P-L directors, Ed Carpenter, who had also been Stanwood Murphy Senior's best friend. Campbell had always been considered ambitious and Machiavellian to the point of ruthlessness, and he had a much different vision for the future of the company than the Murphys. Indeed, Campbell, who had been trained in Australia as a banker, had much more in common with Harry Merlo than Stanwood Murphy Sr. He considered the conservative P-L logging practices, including its prohibition on clearcutting, as an embarrassment, since it greatly underutilized the company's profit potential. Due to his family connections, however, Campbell had been regarded as almost being one of the Murphys himself and, like Woody and Warren, had been put on the same management track. By 1984 he had climbed the company management ladder to the point where he was second in command in the management of P-L's production chain in Scotia, under the direction of executive vice president of lumber production, Warren Flinchpaugh.⁸⁵

Flinchpaugh, by contrast, was very much a true believer in the Murphy's traditional management and production policies, to the point where he butted heads with Gene Elam, sometimes even withholding production figures from the P-L president in San Francisco. According to existing company practices, however, even though Elam may have been the president, it was the production boss in Scotia who actually set the pace. Campbell knew this and planted the suggestion in Elam's mind that Flinchpaugh had looked the other way when one of the gyppos that contracted with P-L had been double dipping. Flinchpaugh denied the accusations, but Elam took them at face value without conducting a thorough investigation, and after pressuring his subordinate for several months, the now maligned executive applied for early retirement. No doubt the innuendo and finger pointing, some of it possibly stoked by John Campbell, helped influence Flinchpaugh's decision, but Elam had already hoped to replace his underling in favor of one more communicative.⁸⁶

Campbell was now in charge and he wasted no time in proposing changes. He had intended to ramp up annual lumber harvesting from 130 million bf to 170 million,

⁸⁴ Harris, op. cit., pages 57-59

⁸⁵ Harris, op. cit., pages 40-43.

⁸⁶ Harris, op. cit., pages 40-43.

but, he needed the P-L board's approval for such a radical departure from P-L's existing practices. Even though Elam had welcomed the newly appointed executive vice president's ambition and production oriented management philosophy, the P-L president and the rest of the board were averse to abandoning the Murphys' logging policies. Campbell hoped to make them see otherwise, however, and called upon the services of the company's forester manager Robert Stephens to make his case before the P-L board during their September 1985 meeting. Ironically, Stephens had usually been charged with defending the company's sustainable logging practices and progressive environmental policy before critics many times and had often performed beautifully.⁸⁷

Stephens was nothing if he was not a company man, but he was more than willing to do Campbell's bidding. But, when questioned by the board, especially director Mike Hollern of Oregon, who was also a true believer in the Murphy philosophy and quite knowledgeable on forestry issues himself, Stephens could not offer any substantive proof that the liquidation logging practices currently in trend at the time would meet the long term conditions that the existing P-L practices offered. The directors tore Stephens's arguments to shreds. Campbell watched the affair stone-faced, and then later roundly excoriated his underling for embarrassing him in front of them. Expediently, however, Campbell contacted Elam and informed his superior that Stephens had been thoroughly chastised for his incompetence, all the while secretly still hoping to implement his more aggressive, profit-oriented logging philosophy.⁸⁸

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By this time Woody and Warren Murphy had come of age and were in their early 30s, but neither brother was in any position to resist the unfolding drama. The elder Murphy had always desired to work for Pacific Lumber and had truly learned the business by taking on one lumber production assignment after the next. He eventually found his way to the P-L corporate office in San Francisco to work in sales and attend college to learn corporate law and business administration.⁸⁹ Many of those close to P-L had originally assumed that one day, he would be the next president of Pacific Lumber, but he didn't turn out to be what most would call "executive material", even in the anachronistic company that employed him. Woody was always a logger at heart and he decided—against the better judgment of his father—to return to the woods, which he did for a time, running one of the P-L road crews for the better part of a decade. Less than a year before Maxxam's attempted merger, after an ill-fated exchange with one of his superiors, he complained to John Campbell, hoping to invoke his family name. Instead, Campbell fired him and Murphy earned the dubious honor of being the first member of his family ever to be fired from the dynasty.⁹⁰ In spite of this, he continued to hold one percent of P-L's stock and remained fiercely loyal to the company, even though he started his own gyppo firm, Woody Murphy Logging and Construction in

⁸⁷ Harris, *op. cit.*, pages 44-50.

⁸⁸ Harris, *op. cit.*, pages 44-50.

⁸⁹ Abramson, July 13, 1986, *op. cit.*

⁹⁰ Harris, *op. cit.*, pages 76-77.

Field's Landing north of Rio Dell. "You take (PL) away from me and it's like taking a vital organ out of me," he declared in response to Maxxam's threat.⁹¹

Woody decided to act, and he called upon another long time scion of Scotia and childhood friend, William Bertain. Bertain was the youngest of ten children of the last man to own the town laundromat that bore *his* family name. He was also something of a contradiction. Like Murphy, he had grown up in Scotia, but had chosen a career in law, originally attempting to practice in San Francisco, but having returned to Humboldt County after feeling like a fish out of water in a corporate office. He was a staunch and fairly conservative Republican, similar in temperament to Barry Goldwater or Ronald Reagan, and yet he had a reputation for fighting for the underdog, and he was personally horrified by the possibility of an outsider from Texas using Wall Street money to destroy his childhood home. He had successfully fought against the location of a sewage plant on Humboldt Bay, but he was hardly "anti-business", having helped Woody get his own startup on proper legal footing the previous year. Bertain was not a specialist in securities law and informed his client that he needed to research their options before taking action. Woody requested that his younger brother, Warren, be included in any legal action they took, but Bertain disabused of the notion explaining that his younger brother was in an even more difficult position than himself.⁹²

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Indeed, he was. Warren Murphy had also traveled the path dictated by his father. He looked and acted the part of a corporate executive, however, and had been appointed P-L's manager of lumber operations a few months before Hurwitz's initial foray. Like his brother, he too owned one percent of the company's stock.⁹³ If his brother wasn't appointed P-L president, Warren almost assuredly eventually would be—unless Hurwitz had his way.⁹⁴ Warren worked very closely with John Campbell, his immediate supervisor, who had also been a longtime friend. In Warren's mind, if he was "Michael Corleone", and his older brother, "Sonny", then Campbell would almost assuredly be "Tom Hagen", the family "consigliere", and in general, the ambitious executive ostensibly played the part. Warren had gained limited bits of information from his mother, but her understanding of the complex and byzantine drama that was unfolding was limited at best. His instinct told him to charge into battle, but he held back until various potential "White Knights"—potential alternate suitors who could potentially outbid Hurwitz—courted by the board of directors began showing up. At this point, the younger Murphy decided to act and contacted Elam and Hoover by phone, in a conference call that that was witnessed by John Campbell.⁹⁵ Elam instructed Murphy, "in no uncertain terms," to stay out of the way.⁹⁶ At this point, Campbell suggested to

⁹¹ Abramson, July 13, 1986, op. cit.

⁹² Harris, op. cit., pages 77-78

⁹³ Abramson, July 13, 1986, op. cit.

⁹⁴ Markoff, November 3, 1985, op. cit.

⁹⁵ Harris, op. cit., pages 78-80

⁹⁶ Abramson, July 13, 1986, op. cit.

Murphy that the fate of the company was in the hands of the directors. Murphy, still thinking that the executive was a trustworthy ally, believed him.⁹⁷

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The P-L board of directors, including Gene Elam, had indeed initially appeared steadfastly opposed to Maxxam's advances. Pacific Lumber had shielded itself, or so they thought, from hostile takeovers in 1981 by adopting several limiting provisions, including staggered terms for directors and a requirement that the board consider "all relevant factors, including social, legal, environmental, and economic effects" when faced with a merger proposal or tender offer.⁹⁸ On October 9, they not only rejected Hurwitz's offer, they filed a lawsuit against Maxxam, charging that Hurwitz was "a notorious takeover artist...(whose) background demonstrates a conspicuous absence of integrity, competence, and fitness necessary to control or manage (a firm such as Pacific Lumber)."⁹⁹ They also charged that Maxxam's offer of \$38.50 per share was "inadequate", and they could cite as proof the opinions of several respected financial analysts. For example, Christopher Charles of Wolf Hansen & Co. estimated that P-L could sell in the high 40s.¹⁰⁰ Then they contacted a number of "white knights". Speaking for his fellow directors, Elam declared,

"The board was unanimous in rejecting this inadequate bid by the Maxxam interests and is determined not to allow the great company to be acquired at an inadequate price...It seems inconceivable to me that a company and its stockholders can be subjected to a disruptive and possibly (fraudulent) tender offer where the financing is not secured and there's no assurance that the money will ever be there."¹⁰¹

Reaction among the Pacific Lumber workers and townsfolk of Scotia was apprehensive, but optimistic. P-L had stood for over a century and—in their minds at least—the company was about as untouchable as one of its old growth redwoods. In the words of *San Francisco Examiner* reporter David Abramson:

"Far removed from the acoustically padded boardroom, where the company's executives would wage their battle with the silent thrust and parry of weighty documents and legal precedents, the workers in Scotia were filled with confidence. 'We're going to win this battle,' Mel Berti the butcher winked to all his customers. After all, most Scotians reasoned, Pacific Lumber had been through three major fires, two thunderous earthquakes, and floods that washed away a dancehall and most of their timber, and that

⁹⁷ Harris, op. cit, page 80

⁹⁸ Pender, October 1, 1985, op. cit.

⁹⁹ "One P-L Suit Dismissed; Another Filed Locally", by Lewis Clevenger, *Eureka Times-Standard*, November 2, 1985.

¹⁰⁰ Pender, October 1, 1985, op. cit.

¹⁰¹ Ponce, October 15, 1985, op. cit.

hadn't stopped them. Even the Great Depression only put a dent in the production line. 'That first bid's a joke,' Randy Jeffers told his buddies on the road crew. 'Pacific Lumber's worth a whole lot more than that. Anyway, no one's going to pop our bubble.'"¹⁰²

In truth, however Elam had, at best, been saber rattling, because the Pacific Lumber board of directors was far more pragmatic than their loud proclamations would suggest at first blush. The lawsuit had been the first in a three prong strategy which also included protection of the company's cash reserves (including the \$50 million pension fund and surplus) in case the takeover succeeded in spite of their efforts, and—unbeknownst to the shareholders, workers, and their families—a “dignified” surrender. Elam had mobilized an army of advisors including Robert Hoover, the chairman of the board of Pacific Lumber, the prestigious law firm of Watchell, Lipton, Rosen, and Katz, and the investment bankers Saloman Brothers. Strangely, however, Roger Miller, representing the latter advised Elam that unless the board could secure a better tender offer, the majority of the shareholders would vote to sell out to Maxxam anyway. Should the board choose to fight the takeover, the stock prices would likely soon return to their initial price of \$29 per share, which left the board open to shareholder lawsuits for not maximizing the value of their stock. One did not acquire the keys to the P-L kingdom without a shrewd—and sometimes dispassionate—business sense.¹⁰³ Hurwitz may have been reviled, even among his fellow capitalists, but he had done his homework. He knew that according to Pacific Lumber's charter, the company was required to remain responsible not just to its finances but to the shareholders, employees, and its communities.¹⁰⁴ He countersued the P-L executives for trying to block his offer, charging that “the executives had breached their fiduciary duties by guaranteeing themselves a share of an estimated \$60 million in surplus assets in the company retirement fund.”¹⁰⁵

As a hedger, if Hurwitz couldn't persuade the Pacific Lumber directors to go along with the plan, there were others who easily could. Roger Miller had warned Elam and Hoover to place little faith in the anti-merger protections that supposedly bulwarked the company from a takeover, stating that their legal standing was at best dubious. However this was only part of the story.¹⁰⁶ As it turned out Saloman Brothers were as motivated by greed as anyone and they had held several meetings with DBL through intermediaries and though both groups stood to gain whether the merger took place or not, according to their respective retainer agreements, both ultimately stood to gain *more* if the merger went through. The two groups had met prior to the tender offer and when it seemed the sale might be in danger of failing, they met again, privately,

¹⁰² Abramson, July 13, 1986, op. cit.

¹⁰³ Abramson, July 13, 1986, op. cit.

¹⁰⁴ Ponce, October 15, 1985, op. cit.

¹⁰⁵ Cecil, November 1985, op. cit.

¹⁰⁶ Harris, op. cit., pages 69-70.

to strategize on how to make it succeed. After having devised their strategy, each met with their retainers.¹⁰⁷ Then, on Monday, October 21, Hurwitz and his DBL advisors met privately with Elam and his Saloman Brothers team. The Maxxam CEO increased his purchase offer to \$39.30, and then again to \$39.50. Elam refused both overtures, at which point Maxxam's representatives prepared to leave and continue their hostile takeover attempts through other means, including further lawsuits if necessary.¹⁰⁸

Hurwitz had one further ace up his sleeve in the person of P-L director Michael Coyne. Coyne had been brought into the Pacific Lumber fold and made a major shareholder when the company had acquired his welding and cutting business. Coyne was not a Hurwitz ally, but he stood to gain far more if the sale went through. He also broadcast his emotions quite openly and Hurwitz, being sly and cunning, was able to read him like an open book. Sensing that Elam was about to blink, the Maxxam CEO used a third party banker who knew Coyne personally to convince the latter to nudge Elam for one more round of negotiations.¹⁰⁹ The P-L president agreed, and Hurwitz upped his offer one last time to \$40. The next day, Elam convened a meeting of the board of directors and presented the latest offer, and Miller once again counseled that \$40 per share was the best likely offer they would receive. This time, the board took his advice.¹¹⁰

On Wednesday, October 23, 1985, the P-L directors announced that they had agreed to a merger with Maxxam.¹¹¹ In addition to the sale price, the board agreed to drop all litigation against Maxxam, stop pursuing any higher purchase offers, and to relinquish its hold on the pension fund. In turn, Hurwitz agreed to retain the current management, have Gene Elam be appointed to the new board of directors, and to maintain all existing employee benefits and compensation, but only for three years.¹¹² Hurwitz also agreed to defend the P-L board if the shareholders charged it with breaching their fiduciary duties. Officially this made the would-be hostile takeover into a friendly one.¹¹³ In less than a month, Hurwitz had managed to quite literally steal Pacific Lumber, a company worth \$1.5 billion, for a mere \$834 million.¹¹⁴

* * * * *

For the people of Scotia, the Pacific Lumber workers, their town, their houses, their entire existence for three generations, had just been sold out from under them. One anonymous P-L stockholder summed up the feelings of many by saying, "The company has been raided from the outside by a previously unknown corporate raider, and I'm under the distinct impression that some employees and large stockholders

¹⁰⁷ Harris, op. cit., page 86.

¹⁰⁸ Abramson, July 13, 1986, op. cit.

¹⁰⁹ Harris, op. cit., page 82.

¹¹⁰ Abramson, July 13, 1986, op. cit.

¹¹¹ Clevenger, October 23, 1985, op. cit.

¹¹² Abramson, July 13, 1986, op. cit.

¹¹³ Daly, September 1994, op. cit.

¹¹⁴ Cecil, November 1985, op. cit.

feel they have been raped thoroughly—but legally”.¹¹⁵ Company foreman distributed bulletins announcing the merger. Long time employee, 49-year-old Fred Elliot recalled, “It felt like someone had died.”¹¹⁶ Several Scotia residents and Pacific Lumber workers expressed their anger and dismay to reporters anonymously, in fear that they would be the first to go when the inevitable restructuring began. “Just last week they vowed to fight the takeover and even had a lawsuit against Maxxam ...Why the sudden turnaround?” asked one. “I feel we’ve been sold down the tubes...and there’s not a damn thing we can do about it but wait and see what happens,” exclaimed another.¹¹⁷

Many of the employees were convinced that the Pacific Lumber board of directors had stabbed them in the back, all for the sake of lining their own pockets. To begin with, there were 34 executives, including Elam, who had stipulations in their personal contracts guaranteeing them “golden parachutes” of at least \$100,000 each should the company be acquired in a merger.¹¹⁸ Elam rebutted these accusations arguing that that the P-L directors had added the severance provision the previous year, well before Hurwitz had bought a single share of the company, precisely as a bulwark against a hostile takeover, because the six key administrators would be “expected to put up a bloody fight.”¹¹⁹ However what he hadn’t revealed is that Hurwitz had agreed to increase these amounts in exchange for the directors’ silence.

Director Michael Coyne, had publically declared that Maxxam’s offer of \$40 per share was the best the company had received, and he indicated that the board’s vote had been unanimous.¹²⁰ However, Coyne had personally benefitted from the sale, and he had not been a part of the extended Murphy “family” for very long.¹²¹ Grover Wickersham, a San Francisco securities attorney and P-L shareholder of 20 years, disagreed with Coyne stating, “I think the board’s decision...was totally inconsistent with everything they have said previously to the shareholders. The course of action with the highest integrity would have been to present this action to the shareholders.”¹²² Furthermore, Suzanne Murphy-Beaver contradicted Coyne declaring, “This was like duck soup (to Hurwitz). We all felt rushed but we (also) felt we had to be fair to the shareholders. Nobody on the board was in favor of this merger.”¹²³ Apparently many

¹¹⁵ “Pacific Lumber Sale Fells a Tradition”, by John Markoff, *San Francisco Examiner*, Oct. 27, 1985

¹¹⁶ Abramson, July 13, 1986, op. cit.

¹¹⁷ “P-L Employees Take Merger News Hard”, by Lewis Clevenger, *Eureka Times-Standard*, October 24, 1985.

¹¹⁸ Clevenger, October 23, 1985, op. cit.

¹¹⁹ “PL Leader Says Board Unanimously Sold Out”, by John Ponce, *Humboldt Beacon and Fortuna Advance*, November 5, 1985.

¹²⁰ “Pacific Lumber Deal Blasted: Shareholders May File Suit”, *UPI, Eureka Times-Standard*, October 26, 1985.

¹²¹ Harris, op. cit., page 82.

¹²² “Pacific Lumber Deal Blasted: Shareholders May File Suit”, *UPI, Eureka Times-Standard*, October 26, 1985.

¹²³ Abramson, July 13, 1986, op. cit.

residents of Scotia agreed, and reportedly hung both Charles Hurwitz and Gene Elam in effigy outside one of the main buildings in Scotia.¹²⁴

There were a few members of P-L's extended family who apparently approved the change. For example, Stanley Parker, the former traffic manager at the company's Scotia mill, and self appointed company historian, opined:

"I'm convinced company officials made a strong effort to find another buyer who would retain the company's programs of looking to the future. They probably failed because there isn't as much value in the company's standing timber as you might think...I'm unhappy that the old management, many of which I've known personally for several years, is going. I have some company stock and I stand to make some money out of this, but I really don't want to."¹²⁵

Parker's assessment of the apparent decline in standing timber was based on old information however, because a visual cruise had not been conducted of the company's complete holdings since 1956.¹²⁶ In his ill fated attempt to convince the old regime to embrace clearcutting, Robert Stephens had estimated P-L's standing timber inventory to be approximately 5.2 bbf, and though this estimation was later dismissed as a poor assessment, it was more likely to have been a deliberate fabrication by Stephens and Campbell¹²⁷, even though it was accepted most as truthful.¹²⁸ Hurwitz himself had apparently suspected that Stephens's figures had been off, because he had arranged for "surreptitious" flyovers through DBL, and quite possibly assessed that P-L had more standing timber than believed¹²⁹, a fact which was verified by an up-to-date timber cruise performed by the timber consulting firm Hammond, Jansen & Walling just after the takeover.¹³⁰

Perhaps no one was more stunned by the announcement than Warren Murphy, and though he felt betrayed by the board, including his mother, this was but the *beginning* of the tragedy for him. He immediately sought out his friend John Campbell and expected his boss, the man who currently occupied the very office once used by his father and grandfather to join his fight; he could not have been more wrong. No sooner had the words left Warren's mouth than Campbell took the wind out of his sails and informed him that since the board had made its decision, the matter was settled, and just to be clear, his supervisor repeated himself. This was effectively the end of their friendship, but if the younger Murphy had known the full truth, he would

¹²⁴ Cecil, November 1985, op. cit.

¹²⁵ Clevenger, October 24, 1985, op. cit.

¹²⁶ Pedersen, October 28, 1988, op. cit.

¹²⁷ Harris, op. cit., page 45.

¹²⁸ Cecil, November 1985, op. cit.

¹²⁹ Harris, op. cit., page 57.

¹³⁰ "Day of the Living Dead Hurwitzes", by Crawdad Nelson, *Anderson Valley Advertiser*, January 11, 1989.

perhaps have been no less devastated.¹³¹ Just weeks before Hurwitz had made himself known, William Bertain, of all people, had inadvertently clued Campbell in to the odd market fluctuations affecting P-L's stock during a "Ducks Unlimited" benefit in Scotia. Privately sensing that new ownership might give him the opportunity he sought to increase P-L's lumber harvesting, Campbell, (like Elam, Hoover, and Coyne) prepared to hedge his bets.¹³²

Knowing that they faced an uphill battle, both Woody and Warren Murphy laid out their own strategy. Although he was no longer an employee, Woody Murphy was well liked by long time Pacific Lumber workers and their family members, and they looked to him for leadership. After several discussions the two brothers and their sister, Suzanne Murphy-Civian, retaining Bill Bertain as their counsel¹³³, filed a lawsuit on Wednesday, October 30, in San Francisco federal court charging that Hurwitz's offer of \$40 per share was less than the company's long term worth.¹³⁴ Murphy-Civian declared, "To pay for the acquisition of Pacific Lumber, (Maxxam) will have to abandon the company's historic sustained-yield policy and strip one of the world's largest privately held stands of virgin redwoods." Warren Murphy added, that the increased cutting rate likely to occur under the new regime would also cause timber prices on the North Coast to drop.¹³⁵ The three collectively owned three percent of P-L's stock, and refused to sell their shares to Maxxam,¹³⁶ Woody Murphy justified the suit arguing that he and his fellow shareholders, who included no small percentage of the company's employees, had been misled. "The stockholders are getting stampeded into a deal they aren't fully aware of. The 80 percent rule was set up to prevent just what is happening—a hostile takeover," he declared.¹³⁷

Gene Elam, on the other hand—who had publically denounced Hurwitz one month previously—now sang a different tune, claiming that the deal was a *good* one for the P-L stockholders. He also dismissed the lawsuits as being groundless reminding everyone that the board, including Suzanne Beaver, the mother of the three Murphys, had voted unanimously to approve the sale. "It was a unanimous vote of all ten members—I was there...No one's pointing that out, are they?"¹³⁸ Woody Murphy accused Elam of betrayal, suggesting that the reason for the latter's turnaround was motivated purely by the aforementioned severance packages should Hurwitz dissolve the current board. Even though Hurwitz claimed he would not do this, his past practice suggested that the financier could not be trusted. Either way, Elam couldn't deny that he had nothing

¹³¹ Harris, op. cit., page 94.

¹³² Harris, op. cit., page 50.

¹³³ Abramson, July 13, 1986, op. cit.

¹³⁴ "PL Shareholders Assail Stock Offer" *Eureka Times-Standard*, October 28, 1985.

¹³⁵ "PL Shareholders Assail Stock Offer" *Eureka Times-Standard*, October 28, 1985.

¹³⁶ "Forces Regroup on P-L merger: Company President Defends Agreement Reached by Directors", by Lewis Clevenger, *Eureka Times-Standard*, November 4, 1985.

¹³⁷ "Woody Murphy Wants No Sale", by Leslie Ridgeway, *Humboldt Beacon and Fortuna Advance*, November 2, 1985.

¹³⁸ Ponce, November 5, 1985, op. cit.

to lose by throwing in his lot with the new regime. “His severance agreement is more than \$193,000. He has a golden parachute, and it’s hard for him to be very objective in this kind of deal. He’s bought,” accused Woody Murphy angrily.¹³⁹

Elam argued that Maxxam’s takeover would actually be a boon, declaring, “We don’t think employees have any reason to worry about their jobs. In order to service the (buyout) debt, there’s going to be more work, not less.” In the same instance, however, he uttered essentially contradictory statements saying, “In my opinion, it would be foolish for him to make changes in the present policies towards (P-L’s conservative cutting practices and paternalistic employee benefits). I’m counting on the fact and listen to what we have to say.” Elam offered no explanation on how Hurwitz was going to accomplish that in light of his increased cutting likely to be required in his debt servicing efforts. An anonymous fellow P-L director contradicted him, however, commenting, “Those [Maxxam] guys are going to go in and haul down all that redwood timber in about 10 minutes.”¹⁴⁰ Woody Murphy went a step further declaring, that given Hurwitz’s past dealings, he would likely not only destroy P-L, but the entire North Coast economy as well:

“The more timber you put on the market, the less valuable it becomes. It’ll hurt every mill on the coast...Hurwitz can guarantee that things will be great for three years and then, when he can’t service his debt, he can sell all (of the company’s) assets, close the mills, and leave with the money in his pocket. He’s not responsible to anyone but himself. We need someone who cares about the people in this area.”¹⁴¹

Elam responded, “Woody Murphy is incorrect on a lot of things.”¹⁴² While that statement may have been true in a broad sense, it was not in this particular case. In Hurwitz’s 41 page document describing the specifics of his tender offer, which had yet to be made public, on page 18 there was clearly written proof that he considered at least doubling P-L’s lumber harvesting and selling off many of its assets, *just as Woody Murphy had suggested*.¹⁴³

Elam, not content with merely defending his position, then tried to paint the Murphys and Bertain as malcontents. He declared that he had spoken with over 600 P-L employees during that week alone, and that in his estimation, he left them convinced that the sale was a positive development.¹⁴⁴ Murphy disagreed, stating, “I’ve had 15 to 20 calls a day and no one wants this. People feel they’ve been sold out. I got about a dozen calls just last night from people telling me they’re behind our suit 100 per-

¹³⁹ Ridgeway, November 2, 1985, op. cit.

¹⁴⁰ “Merger Would Create Jobs, P-L President Says”, *Eureka Times-Standard*, October 31, 1985.

¹⁴¹ Ridgeway, November 2, 1985, op. cit.

¹⁴² Ponce, November 5, 1985, op. cit.

¹⁴³ Harris, op. cit., pages 55-56.

¹⁴⁴ Ponce, November 5, 1985, op. cit.

cent.”¹⁴⁵ Another unnamed employee, a company forester, confirmed this saying, “It’s a masterpiece of understatement to say we’re concerned. The things (Elam and the board) have done don’t really reassure anybody.”¹⁴⁶ As if to blunt any accusations that the Murphys were engaging in a coup, Woody disclosed that each of them stood to make at least \$8 million on the sale of their approximately 600,000 shares apiece. Woody Murphy put it succinctly, “The money is a burdensome thing. I would have liked to keep the company going like it has for 117 years.”¹⁴⁷ The Murphy’s had been raised with the idea that Pacific Lumber was the proverbial “goose that lays the golden eggs,” and they were not about to participate in killing it.

* * * * *

None of these trivial matters concerned Charles Hurwitz, though. He was used to legal battles, as he had spent a good deal of his adult life involved in them. Very often he had the help of sympathetic, often arch-conservative judges. In the case of Pacific Lumber, none was more helpful to Charles Hurwitz than San Francisco Federal Court Justice William Schwarzer, an appointee of Hurwitz’s political ally, Gerald Ford. Time and again, he would issue decisions in favor of Maxxam.¹⁴⁸ Late on Friday, November 1, 1985, Schwarzer made his initial ruling in what would become an epic legal struggle. He dismissed the Murphy-Civiane lawsuit blocking the sale of the company to Maxxam and Hurwitz outright.¹⁴⁹ When the Murphys’ legal team requested access to DBL’s financial records, a standard discovery procedure in similar legal proceedings, Schwarzer refused. “You could have knocked us over with a feather,” recalled Woody Murphy ruefully. It was apparent that the judge had a bias.¹⁵⁰ Bertain would prove to be a tenacious opponent however, and appealed the decision to the Ninth Circuit Court in San Francisco within a week.¹⁵¹

At least one motivation of the Murphy lawsuit was to delay the sale of the company, and though the Murphys had experienced a setback, they were not the only aggrieved parties sharing that desire. There were at least two other lawsuits by different groups of shareholders still pending that were very similar in nature to the one filed by the Murphys.¹⁵² Woody Murphy and his siblings could take solace in the fact that the other lawsuits were still hindering Hurwitz’s ability to raise the money to complete the purchase, which he was required to do by November 8.¹⁵³ Eureka attorney Clayton R

¹⁴⁵ Ridgeway, November 2, 1985, op. cit.

¹⁴⁶ Markoff, October 27, 1985, op. cit.

¹⁴⁷ Abramson, July 13, 1986, op. cit.

¹⁴⁸ Abramson, July 13, 1986, op. cit. Schwarzer also presided over a lawsuit filed by Apple Computer against Microsoft, in which Apple alleged that Microsoft used some Apple features in Windows Version 2.03, and later 3.0. On January 5, 1989, Schwarzer dropped all but 10 of the 189 claims that Apple brought against Microsoft.

¹⁴⁹ Clevenger, November 2, 1985, op. cit.

¹⁵⁰ Abramson, July 13, 1986, op. cit.

¹⁵¹ Clevenger, November 2, 1985, op. cit.

¹⁵² Ponce, November 5, 1985, op. cit.

¹⁵³ Ridgeway, November 2, 1985, op. cit.

Janssen filed a suit on behalf of shareholders Fred W. Slack, Janice Slack, and Marjorie Bussman alleging that the P-L board of directors had failed in its responsibility to consider the social, environmental, and economic impacts on the employees and the affected communities before accepting Hurwitz's offer in violation of Article 10 of P-L's Articles of Incorporation.¹⁵⁴

That suit was joined by a third. Gene Elam had claimed that the board had attempted communication with 100 potential "white knights", but apparently none had expressed interest in buying Pacific Lumber.¹⁵⁵ However, in a *third* lawsuit opposing the merger, plaintiffs charged Elam and his fellow directors with engaging in collusion with Maxxam arguing that, "Prior to the agreement, there was a tender offer made by a local company for \$911 million (\$42 per share), and Elam threw him out of the office. He wouldn't even talk to him." The P-L executive responded by claiming that the other buyer "didn't want the liabilities," which when deducted from the offer reduced the potential purchase price to between \$35 and \$36 per share.¹⁵⁶ San Francisco lawyer David Gold and Arcata attorney John Stokes filed the class action lawsuit on behalf of P-L stockholders William Fries and John Lippert calling for a temporary restraining order (TRO) against the merger in Humboldt County Superior Court.¹⁵⁷ Gold's and Stokes' arguments echoed those of Janssen's, noting the board of directors' initial rejection of Maxxam's purchase offer followed by their sudden about face two weeks later. They also noted the irregularities in the initial stock purchases in which Ivan Boesky. Gold and Stokes also alleged that the directors had fast-tracked an increase in the severance packages of the aforementioned 34 executives in response to Hurwitz offer thus explaining their sudden reversal.¹⁵⁸

Superior Court Justice John E. Buffington, in contrast with Schwarzer, did find merit in Gold's and Stokes' arguments and ruled in favor of the shareholders, issuing a TRO halting the sale until a preliminary hearing set for November 25. It also barred Maxxam from acquiring any additional stock until then. In his legal opinion, Buffington declared, "There is no denial of the fact the takeover company and the board reached certain agreements during negotiations and that there was a significant change in security benefits. In my opinion, the circumstances surrounding these changes and agreements need to be brought out." Gene Elam seemed unimpressed with the ruling, however, declaring:

"I have the utmost confidence the board's action will be found to be consistent with the high standards of integrity for which the Pacific Lumber

¹⁵⁴ Clevenger, November 2, 1985, op. cit.

¹⁵⁵ "Forces Regroup on P-L merger: Company President Defends Agreement Reached by Directors", by Lewis Clevenger, *Eureka Times-Standard*, November 4, 1985.

¹⁵⁶ "Local Judge Puts Brakes on P-L Deal: Restraining Order Delays Takeover", by Lewis Clevenger, *Eureka Times-Standard*, November 5, 1985.

¹⁵⁷ "Court Sides With P-L Merger Opponents", by Lewis Clevenger, *Eureka Times-Standard*, November 13, 1985.

¹⁵⁸ Clevenger, November 5, 1985, op. cit.

Company has always been known. The board, when faced with a hostile takeover did everything it could to provide the most value possible to its shareholders and to protect the interests of all its employees. The charges against the board are without any merit whatsoever.”¹⁵⁹

As was to be expected, Maxxam planned to appeal the ruling.¹⁶⁰ Woody Murphy, representing his two siblings as well as himself was elated, stating:

“I’m very pleased the court saw fit to issue a restraining order. I feel it’s a first step in saving Pacific Lumber from Maxxam...We’ve got a good chance, but we’re in the 12th hour and we need to get hold of the other stockholders and let them know there’s a group that’s trying to stop this takeover. I don’t care if they’ve got a million shares or only one...I want to talk to them.”¹⁶¹

The Murphys decided to use the added time to attempt a leveraged buyout of their own. Meanwhile, other opponents of the Maxxam takeover organized adjacent campaigns.

* * * * *

The resistance to Maxxam was joined on yet another, rather unexpected front. Many of the rank and file workers at Pacific Lumber—the one major timber company in northwestern California that had never recognized a union—were so fearful of losing their jobs, they sought help from the IWA. IWA Local #3-98 business agent Tim Skaggs publically revealed that the union had been meeting with several rank and filers in an unofficial capacity in order to determine the potential viability of an organizing campaign, in response to phone calls for help from several of the workers. The workers who sought union representation evidently hoped that presence of a legally recognized union bargaining unit might induce either Maxxam or the P-L board to back out of the sale, or at very least limit Maxxam’s ability to downsize the workforce. In the event that the latter did, a union contract could at least require that layoffs be conducted in order of seniority. Noting that P-L had been union free for much of its history, Skaggs urged potentially hesitant workers to consider that they were living in a whole new reality:

“The employees have to understand they can’t deal with management as individuals anymore, particularly if they find themselves with an owner who lives thousands of miles away and doesn’t know the lumber business. They’re going to have to deal with the company as a group with some power.”¹⁶²

¹⁵⁹ Clevenger, November 4, 1985, op. cit.

¹⁶⁰ Clevenger, November 13, 1985, op. cit.

¹⁶¹ Clevenger, November 4, 1985, op. cit.

¹⁶² “Local Union Considers Trying to Organize at Pacific Lumber”, by Lewis Clevenger, *Eureka Times-Standard*, November 8, 1985; and “Employees Join Fight Against P-L Takeover”, by Lewis Clevenger, *Eureka Times-Standard*, December 13, 1985.

Maxxam responded with full page paid advertisements in various local publications, signed by Charles Hurwitz himself, addressed, “To the employees of the Pacific Lumber Company,” Stating:

“We were attracted to invest our money in Pacific Lumber largely because of its people and its tradition, history, and values. Each of you is very much a part of the great company that Pacific Lumber has become over the years. Your dedication and hard work have made it a fine company of which you should be very proud. I respect you for your efforts and I want you to know that I believe you are essential to Pacific Lumber’s continued success in the coming years. In fact, I believe that together we can make Pacific Lumber an even stronger company—serving the interests of its employees, customers, and communities.

“We want you to understand that we are committed to running Pacific Lumber as an operating company—now and in the future. We have a significant interest in your Company’s (sic) long term growth and development and we expect to be part of it for many, many years to come. We recognize your importance to our mutual success, and we have therefore taken steps to assure continuity for you and for the Company. We have agreed to continue all of the employee benefits and programs, as requested by your board of Directors...

“Your Board of Directors has unanimously approved our proposal.”¹⁶³

This only angered the workers further. Pacific Lumber shipping clerk John Maurer of Carlotta, a ten year employee and fifteen year Humboldt County resident, who had served in Vietnam and later enrolled at College of the Redwoods in Eureka, earning a Bachelor’s degree in Business and Economics before signing on at the company, led this charge. After reading Hurwitz’s statement, he contacted Warren Murphy and informed the latter that he and his fellow workers wanted to help fight the takeover. Murphy, who realized that he couldn’t legally participate in any efforts to discredit Hurwitz due to his and his sibling’s efforts to engage in a leveraged buyout referred Maurer to Bill Bertain. The attorney advised Maurer to organize a petition drive to be published in the form of a protest letter as a paid advertisement in the local press. Maurer along with several others, including P-L millworker Charles “Kelly” Bettiga, blacksmith Clarence “Pete” Kayes, and monorail mechanic Lester Reynolds began circulating the petition at work on the morning of Friday, November 15.

As luck would have it, John Campbell was out of town, meeting with Elam in San Francisco, but he got word of the revolt through the word of an informant who contacted him. When the vice president heard of the efforts he immediately sent word to the frontline supervisors and foremen to shut it down. Some of the foremen responded instantly, but others—sympathetic to the petition—dragged their feet. Campbell then

¹⁶³ Paid advertisement, various publications, including *Eureka Times-Standard*, November 11, 1985; and *Humboldt Beacon and Fortuna Advance*, November 16, 1985.

chartered a flight back to Humboldt County to quash the budding revolt, but it was already too late. By 11 AM, as many as 340 P-L workers, a whopping 40 percent of the company's Humboldt County employees had signed the protest letter and very likely that number would have been larger had Maurer and his allies managed to expand their efforts beyond Scotia. Even as it was, the effort was unprecedented for the Pacific Lumber employees who had not participated in an employee revolt since 1946.¹⁶⁴ The ad, which ran on November 17, 1985, read:

"Some people are comfortable with the efforts of Charles Hurwitz and his Maxxam group to establish ownership of the Pacific Lumber Company. Most of us certainly are not! We, the employees who have signed this, do not feel that this impending takeover would be in the best interest of ourselves, the shareholders, and the communities in which our company serves. Most of us are the hardworking individuals who feel that PALCO was an honorable, well-serving company, with a heritage that we could be proud of—not only a secure place to work, *but one which dealt conscientiously with the preservation and proper management of our vital resources: our people and the redwoods.*

"In all earnestness, we do not feel that a company of real estate investors from the east coast can manage resources such as ours with the consideration that has been shown all these years by the Murphy Family. We wish to protect the integrity of our company, which has served our community so well...It is our sincere belief that if the company's leadership were back in the hands of the Murphy Family, the company's business, *our environment*, and the communities in which we all live will continue to prosper..."¹⁶⁵

¹⁶⁴ Harris, op. cit., pages 99-101.

¹⁶⁵ Emphasis added. The 340-plus signers were, in alphabetical order of last name: C Kurt Adams, Rich Adams, Richard T Alton, Arlington E Ammons, Steve Anaya, Eric Anderson, Ted C Annibel II, Ted Annibel, Sr., Janice E Astor, Peter C Austrus, Peter G Austrus, Tom Austrus, Rafeal Avila, Frances I Bagley, Manuel R Bailey, Janet C Baird, Tony Barcelos, Jr., Dennis C Barnes, Jim Barnes, Aldan Barrotte, Larry A Barrote, James N Barsanti, Brad Bartleson, William L Bartelson, Daniel W Bartlet, Greg Bartlett, Jerrold G Bartlett, Pat Bartlett, Samuel J Bartlett, Wade E Bartlett, Jr., George Bearden, Vernon W Belisle, Bill Belmont, Robert Benoit, Ron Bergenske, Charles J Bettiga, Matthew Kyle Bettiga, Micheal J Bettiga, Grant Bishop, Steve Bishop, Micheal Bonnikson, Max Borges, James A Bragg, George Brazil, Jeffery L Brazil, Joseph Bresnan, Jr. Esq., John Broadstock, Vernon Broyes, Gary H Brown, Jimmy H Brown, Alfred Brunner, Larry C Burgh, Lars Burnside, Alan Cady, Micheal J Campbell, James Card, Jr., Elmer Carson, Tim A Cartwright, Dale Cathey, William Chism, Chris E Christianson, Kenneth Criswell, Micheal S Clark, Greg Coleman, Franc B Cook, Gary A Cook, Mike Cook, Tim Cook, Tom Cooper, Tim Coppini, Wally Coppini, Edward Cordiero, Van A Crimson, Lawrence E Crnkovich, Bill Cross, Gary Crawl, Jack Curlee, Norman Cushing, Gurd J Daniel, Gary W Davis, Raymond C Davis, Ronald A Davis, Ernest DeCarli, Fred P DePucci, Tony DePucci, Harry R Dibble, Oscar Dillard, E Clifton Dodson, Leon W Dokweiler, Carol Dollarhide, Lonnie Dollarhide, Charles Douthitt, John L Doyle, Ronald C Drummond, Darron D Dunlap, James E Dyer, Terry Edgman, David Eicholtz, Fred W Elliot, Jim Elliot, Jim Elliot, Jr., Ray Elliot, Alfredo Erbina, Andy Erickson,

* * * * *

Still others joined the fight. The resistance to Maxxam's takeover also drew the support of environmentalists. The Humboldt Greens expressed their support for the stunned P-L workers and shareholders. A meeting held in Garberville, on October 28, 1985 drew organizers from Fortuna to Briceland. Those attending unanimously rejected the takeover and called to a return to the original ownership. They pledged to ally themselves with the efforts of the P-L stockholders to block the takeover as

Alan Estrada, Lauritz C Feddersen, Daniel T Ferguson, Arian Franklin, Rick Franklin, Frank C Fraser, Thomas A Fraser, Jr., Wilbur Freeman, Oscar J Fregoso, Danny Frietas, Gary Fritz, Richard Fritz, Charles Fuentes, Micheal G Fuller, Raymond Ghilarducci, Daniel Goodner, Thomas Graham, James E Griffith, Sr., Larry E Griffith, David J Griffs, Larry Grunert, Cesor B Guerrerz, Peter J Hansen, Bradley D Harden, Marvin C Harwood, Robert Hatten, William F Hatton, John D Hay, David Hayes, Stephen J Hill James M Hinrichs, Gary L Hoalton, Alan D Hoffmann, Dale L Hoffmann, Ken Hollifield, Marvin Holmes, Harvey Holt, Jr., Frank A Hough, David O Houseworth, Ken Houseworth, Stanley W Houseworth Jr., Paul Hutcherson, Walter R Ingham, Jr., Jerry Ireland, David C Iverson, Terry L Iverson, Paul T James, Richard W Jarman, John Jeffers, Randolph N Jeffers, Eric P Johansen, Sr., Forrest Johnson, Mark D Johnson, Brad D Jonen, Dennis E Jones, Billy Jordan, Loran R Jordan, Jeffrey E Jorgensen, Pete Kayes, Arnold Kemp, Francis E Kennedy, Johnny C Kennon, Jr., Idella Kent, William A Kent, Richard Kessler, John L King, Tom King, Frank Krause, Max Kuhnt, F Dale Laloli, Guybo C Lamb, Kenneth L Land, Carol LaTorre, Billy J Long, Sr., Terry Longcake, Richard F Lowrey, Don C Luther, John Lutsch, Frank A Luz, Larry D Malcomb, Mike Mahn, Robert Martella, Joe Matthews, Terry T Matthews, John R Maurer, Mike McClendon, David McCoy, Guy McCullough, Ricky McDough, Bobby McGee, Richard McKnight, Bill McLaughlin, Dan McLaughlin, Kelly McNaughton, Angelo M Micheli, William R Miller, Herschall L Moore, Tom Moore, Kevin Morris, Grady Morrow, Ned M Morrow, Kerry L Neff, Kenneth A Nelson, Dennis Newell, Paul Newmaker, Larry R Nichols, Thomas J Nowak, James A Ober, Charles H Ogle, Clarence Oliveira, John Oliveira, Joseph Olson, Robert Overholt, Cecil G Page, Darrel P Palmer, Curtis Parks, Jay Parrish, George Patmore Steven K Payne, Jeffery James Pearce, William L Perry, Richard E Peterson, Scott L Peterson, Arther A Petrey, Lester C Phelps, Charlie O Phillips, George Poli, Thomas R Pollard, Ronnie L Posey, James B Price, Dario Primofiore, Kevin Primofiore, Paul C Primofiore, Terry Prior, Anthony S Pulver, Donnie M Purcell, Dennis W Qualls, Gino Ravai, Chris Raven, Gene Reback, Jack C Reback, John R Redd, Larry R Reich, Les Reynolds, Ken Rigby, Mark L Rigney, Carl N Ringer, Dick Robertson, James L Robertson, Sr., Cris J Rocha, James J Rocha, Joe Rogers, Darrel Sallady, Dave Samblin, Gouyado Sanchez, Frank C Sanderson, Rodney Sanderson, Buzz Sarvinski, Micheal B Schager, Jim Senestraro, John Setzer, Doyle Shamblin, Charles V Shoop, Dave Silva, Theodore Silva, Tim Silva, Chris E Sission, Charles M Smith, Dale Smith, Dennis D Smith, Floyd Smith, Hershal L Smith, Keith Smith, Mike Smith, Ronald E Smith, Jack Snell, Eugene Sousa, Reed D Spiers, Jack Steeves, Ron Stockwell, Randy Stone, Roland H Stone, Jan F Stout, Clifford Sturdevant, Kenneth W Taylor, Frederick Thomas, James Thomas, Albert K Thomspen, Jack Thompson, Joe Timmerman, Perry Timmerman, Jesus Torres, Walter L Tucker, Stanley Turner, Arturo Urbina, Luis Urbina, Ruben M Urbina, Alan Valencia, John T Varnado, Richard Vetter, Dave Victorine, Jody Victorine, Ronald G Victorine, Gary C Vides, Cesar Viegas, Don Viggers, John Waddell Harold R Wallan, Thomas J Walsh, Kevin Waters, Leo Waters, Thomas F Webb, John L Weber, Harry G Webster, Dale C Welch, Floyd Wescott, Tim Whitchurch, Glenn Whitehead Don Wilkins, Micheal D Wilcox, Cecil K Williams, Thomas R Wipf, Winston Wood, Jerry Wright, Sandra Woodhurst, and N Dale Zumwalt.

well as the workers and townspeople.¹⁶⁶ Tim McKay of the Northcoast Environmental Center (NEC) in Arcata stated,

“There is a lot of apprehension here. They (were) the most stable lumber company in our region and they are about to go into liquidation-of-assets mode. It may be the last boom in the boom-and-bust history of Humboldt County. That Maxxam would do this was evident in their takeover offer. They would need funds ‘substantially in excess’ of Pacific Lumber’s then-current profits to pay off the purchase debt, and were thus ‘considering selling P-L’s cutting and welding subsidiary and increasing the company’s annual lumber production.’”¹⁶⁷

On November 9, 1985, the NEC joined in the legal fight against Maxxam, petitioning the Securities and Exchange Commission (SEC) to withhold any action on the takeover until Maxxam completed an environmental impact statement (EIS) as required under the National Environmental Policy Act. “Such a major shift in policy from P-L’s tradition of sustained-yield forestry could lead to increased sedimentation in the Eel River and more economic troubles for a region already suffering from high unemployment,” declared McKay.¹⁶⁸

Even local business interests worried about the potential economic troubles that might result from the Maxxam takeover. Henry Smith & Co. analyst Alan Tate pointed out that even simply boosting the lumber output might be insufficient to answer all of Maxxam’s debt obligations, and further echoed the concerns about depressing the local market with a glut of lumber. Added to that, the loss of support from increasingly vocal environmentalists could further hurt the company’s economic standing.¹⁶⁹ Kent Driesbock, director of the Eureka Economic Development Corporation admonished the Humboldt County business community to take steps to mitigate the impact of the potential changes that might result from the merger, including especially the diversification of the local economy—no easy task in a county that was still very heavily dependent upon timber. He also warned it would take time to absorb the impact of displaced workers. The county had already endured several layoffs, as well as the union busting labor dispute at Louisiana Pacific, and conditions at Simpson Timber were not appreciably better.¹⁷⁰

The public at large was also largely vocal on the merger, and expressed their opinions in the editorial pages of the local press. Without exception every letter opposed

¹⁶⁶ “In Solidarity with P-L Workers”, announcement by the Humboldt County Greens, *Country Activist*, November 1985.

¹⁶⁷ “Pacific Lumber Sale Fells a Tradition”, By John Markoff, *San Francisco Examiner*, October 27, 1985; and Cecil, November 1985, op. cit.

¹⁶⁸ “Ecology Interests Question P-L Deal”, *Eureka Times-Standard*, November 11, 1985.

¹⁶⁹ Markoff, October 27, 1985, op. cit.

¹⁷⁰ “Pacific Lumber’s Impact on an Isolated County”, by Ted Hughes, *San Francisco Chronicle*, November 11, 1985.

the Maxxam takeover. The most articulate example was penned by David Simpson, speaking on behalf of the students and faculty at Petrolia High School.¹⁷¹ Many, such as Bill Barton¹⁷² and F Carmichael¹⁷³, feared that Hurwitz would engage in slash and burn logging in stark contrast with the old Pacific Lumber's sustainable forestry practices. Scotia resident Carol J. Fielder, whose husband had been an employee of P-L editorialized in favor of the Murphys and against Hurwitz.¹⁷⁴

Even the local press itself was divided on the merger. Naturally the environmental publications opposed it. By contrast, the *Humboldt Beacon and Fortuna Advance*, whose political orientation was staunchly right wing, editorialized in favor of the sale opining, "If not Maxxam, somebody else. That's what many say. It is obvious that in 1985, the Pacific Lumber Company has become ripe for sale, merger, or a merged-sale...Change is often painful, but necessary, for progress."¹⁷⁵ Bruce Lang, news director at KIEM-TV in Eureka had a more neutral take, declaring, "Some people are worried, but some sort of like it. Pacific Lumber has been sort of a deity up here. Now, it will be down there with the rest of us."¹⁷⁶ The *Eureka Times-Standard*, on the other hand, in spite of its conservative political orientation editorialized against the takeover declaring:

"We've got trouble. Right here in timber city. With a capital 'T', and that rhymes with 'P', and that stands for power play...

"(Maxxam's) 'quick profit' policy can play unhealthy dividends to a community which has thrived on the timber industry for over a hundred years...

"Those who own P-L stock should think twice before selling off their shares..."¹⁷⁷

As the dissent grew, the battle to thwart Hurwitz and Maxxam continued. On November 8, 1985, Suzanne Beaver resigned from the Pacific Lumber board of directors in order to join her children in their fight. "She realized (that) she was in an awkward

¹⁷¹ "PL Takeover Threatens County", letter to the editor by David Simpson, *Eureka Times-Standard*, November 15, 1985.

¹⁷² "PL Takeover Spells Doom", letter to the editor by Bill Barton, *Eureka Times-Standard*, November 21, 1985.

¹⁷³ "Why Does Hurwitz Want PL?" letter to the editor by F Carmichael, *Eureka Times-Standard*, November 24, 1985.

¹⁷⁴ "Stand Up Against P-L Merger Threat", letter to the editor by Carol J. Fielder, *Eureka Times-Standard*, November 29, 1985.

¹⁷⁵ "Change Painful, Necessary", editorial, *Humboldt Beacon and Fortuna Advance*, November 12, 1985.

¹⁷⁶ "Pacific Lumber's Impact on an Isolated County", by Ted Hughes, *San Francisco Chronicle*, November 11, 1985.

¹⁷⁷ "Trouble in Timber City", editorial, *Eureka Times-Standard*, November 10, 1985. The title of the editorial and the opening sentences are references to *The Music Man*.

position in this whole affair. She wanted to be on our side, but she couldn't do that if she stayed on the board," declared Warren Murphy.¹⁷⁸

The revolt seemed to be gaining momentum, until, on November 12, Maxxam representatives revealed that Hurwitz had purchased 13 million shares of P-L's common stock, approximately 60 percent of the total, prior to Buffington's restraining order, thus giving Hurwitz a total of almost 65 percent overall. The corporate raider announced that he was prepared to purchase the remainder of the common stock if the appeal was lifted; Hurwitz needed 80 percent in order to complete his takeover.¹⁷⁹ However a three judge panel of the First District Court of Appeals in San Francisco denied requests by both Maxxam and the P-L board of directors to overturn the TRO. Gold, Stokes, and Bob Janssen (who was still representing Slack, Slack, and Bussman) were elated.¹⁸⁰

Their triumph was short lived, however, because two days later, Maxxam filed a countersuit in the San Francisco Court of appeals charging that Buffington's court lacked jurisdiction on the matter. The suit named judge Buffington and the two stockholders, Fries and Lippert, whose suit brought about the TRO as defendants.¹⁸¹ The following week, Judge William Schwarzer again dashed the hopes of Maxxam's adversaries, finding in favor of Hurwitz's challenge to Buffington's jurisdiction.¹⁸² Gold and Slack appealed the decision, but the 9th Circuit Court affirmed Schwarzer's ruling, though the court also allowed the appellants to appeal the decision again, which they did to the US Supreme Court.¹⁸³ The defendants seemed confident that the courts would eventually brush aside the legal challenges against them. Seemingly unconcerned with the unpredictable outcome of the legal battle, the P-L board of directors proceeded with plans to construct a 25 megawatt cogeneration plant in Scotia. P-L public affairs manager David Galitz signaled *his* support for the new regime, declaring that Hurwitz supported the construction of the facility, as indicative of the corporate raider's intentions not to sell off P-L's assets.¹⁸⁴ Those with more to lose, however, were taking no chances.

The fight over the body and soul of Pacific Lumber reached the desk of Supreme Court Justice William Renquist on November 25, 1985. The justice, temporarily at least, put the brakes on the merger by granting an extension for both sides to submit arguments on Judge Schwarzer's decision within 48 hours.¹⁸⁵ While this was happen-

¹⁷⁸ "PL Board Member Resigns in Protest", *Eureka Times-Standard*, November 9, 1985.

¹⁷⁹ "Hurwitz Controls 60% of Pacific Lumber", by Ted Hughes, *San Francisco Chronicle*, November 12, 1985.

¹⁸⁰ Clevenger, November 13, 1985, op. cit.

¹⁸¹ "Maxxam files suit of its own", *Eureka Times-Standard*, November 18, 1985.

¹⁸² "Judge Overturns Maxxam Ruling", *UPI Wire*, *Eureka Times-Standard*, November 20, 1985.

¹⁸³ "PL Merge Suit Could Reach Supreme Court", *UPI Wire*, *Eureka Times-Standard*, November 22, 1985.

¹⁸⁴ "PL to Proceed With Power Plant", *Eureka Times-Standard*, November 23, 1985.

¹⁸⁵ "PL Merger Foes Win More Time: Supreme Court Justice Bars Purchase", by Lewis Clevenger, *Eureka Times-Standard*, November, 26, 1985.

ing, another group of shareholders, led by The Murphys and Bertain filed still one more lawsuit, this time in Maine where Pacific Lumber had been originally chartered, alleging breach of trust on the part of the current P-L board of directors, under Section 910 of that state's Corporation Law. The suit demanded that the shares that already been sold to Hurwitz be placed in trust pending the outcome of this new legal challenge.¹⁸⁶ Hurwitz's sale offer was set to expire on November 30, but Renquist's ruling cast doubt on the legal status of that deadline.¹⁸⁷ On November 27, Judge Buffington extended the TRO until December 9 to give Renquist more time to make a decision.¹⁸⁸ However, the Supreme Court Justice didn't need it. On November 29, he ruled in favor of Maxxam.¹⁸⁹ Meanwhile, Maxxam reported substantially lower earnings for the third quarter of 1985, dropping from \$15.9 million, or \$1.29 per share for the first three quarters of 1984 to \$908,000, or \$0.08 per share. The revelations further raised fears by critics of the takeover that Hurwitz would accelerate logging and sell off some of P-L's assets to service his debt.¹⁹⁰

Bertain had not limited his tactics to lawsuits. He also attempted to outflank Maxxam by contacting as many political representatives and lawmakers who served the political jurisdictions—whether local, state, or federal—in which Pacific Lumber operated. At first this seemed to work. At the attorney's urging, a quartet of mayors of local communities, including Craige McKnight of Rio Dell, Fred J. Moore Jr of Eureka, Julie Fulkerson of Arcata, and Michael Allen of Fortuna, issued an open letter opposing the sale. In the letter, the four declared:

"P-L's dedication to sustained yield harvest has made it a pioneer in the prudent management of the North Coast's greatest resource, the renewable resource of trees. Pacific Lumber's practice of sustaining the forest predated, in fact, was the foundation for modern, environmentally sound forest management.

"As the North Coast environment nurtures us all, so P-L has nurtured the North Coast environment. The prospect of a fundamental change in the Pacific Lumber Company concerns us."¹⁹¹

California State Assemblyman Dan Hauser, a Democrat whose district included Humboldt County and home office was located in Arcata, also issued a strongly worded statement in the form of a letter to Hurwitz warning against altering the existing

¹⁸⁶ "Judge Gives OK for P-L Sale: Effort to Block Takeover Moves to Maine", by the *Times Standard* and *UPI Wire*, *Eureka Times-Standard*, November 30, 1985.

¹⁸⁷ Clevenger, November 26, 1985, op. cit.

¹⁸⁸ "Humboldt Judge Orders Further Delay in Pacific Lumber Sale", by Lewis Clevenger, *Eureka Times-Standard*, November 28, 1985.

¹⁸⁹ *Times Standard*, November 30, 1985, op. cit.

¹⁹⁰ Clevenger, November 26, 1985, op. cit.

¹⁹¹ Letter to the editor by the Honorable V. Craige McKnight, et. al., *Eureka Times-Standard*, December 5, 1985.

P-L company practices by the new regime, including anything that might put the employees' jobs at risk or glut the timber market with old growth redwood. Hauser, who chaired the Assembly Subcommittee on Timber, warned Hurwitz that the panel would be "scrutinizing Maxxam's policies toward the land base and the employees you inherit."¹⁹² Likewise, Democratic Representative Doug Bosco, whose congressional district included most of the northwest California coast made similar proclamations, saying that, "He was prepared to take whatever steps are necessary" to prevent Maxxam from liquidating P-L's assets, including stricter forestry regulations.¹⁹³ However, even this was not to be. After a meeting in New York with Hurwitz, Bosco changed his mind and began dismissing the campaign against the takeover as nothing more than "east coast hype".¹⁹⁴ The other lawmakers eventually caved in as well.

At this point, Hurwitz openly declared victory, even though there were some that refused to give up. The first week in December, officials of the Maxxam Group declared that it had officially mailed payments for the 60 percent of the shares it had pledged to buy from the willing stockholders. This announcement was revealed in a letter written by Pacific Lumber executive vice president, John Campbell, and sent to the company's employees, in which he also admonished them to reject IWA Local 3-98's unionization overtures.¹⁹⁵ Campbell's letter was not well received, and by this time much of Scotia, including most of the workers, were giving him the cold shoulder. Before Maxxam's appearance, practically everyone in the happy Pacific Lumber kingdom was in good terms socially, even to the point of being on a first name basis. Now things were different, and John Campbell in particular—though he may have been the man in charge of lumber operations in Humboldt County—was a pariah as far as the townsfolk were concerned. None of this seemed to faze him much however, and he devoted his energy to assisting his new master, even to the point of suggesting how Hurwitz might increase lumber production and liquidate assets most effectively.¹⁹⁶

On December 11, attorney Donald B. Roberts, representing a group of Pacific Lumber employees, including Pete Kayes, John Maurer, and Lester Reynolds filed a lawsuit of their own against the takeover in Humboldt Superior Court. The class action suit named Maxxam, its subsidiaries, Hurwitz, the P-L board of directors, and several John Does as defendants. It charged that the P-L directors were "using their positions of control and dominance...and their knowledge of private corporate information to pursue a scheme...which (would) deprive Pacific Lumber's employees of substantial benefits to which they would be entitled under the Pacific Lumber retirement plan," namely the \$50 million pension fund. Although not directly connected with the Murphys' efforts,

¹⁹² "Check's in the Mail; P-L Buyout Proceeds as Hauser Says 'Buyer Beware'", by Lewis Clevenger, *Eureka Times-Standard*, December 7, 1985.

¹⁹³ "Shareholders Vow to Fight P-L Takeover: Chances of Success Admittedly Slim", *UPI Wire*, *Eureka Times-Standard*, December 8, 1985.

¹⁹⁴ Harris, op. cit., page 202.

¹⁹⁵ Clevenger, December 7, 1985, op. cit.

¹⁹⁶ Harris, op. cit., pages 103-04.

the latter still seemed buoyed by this new battlefield while regaining hope in their own efforts.¹⁹⁷

Ostensibly hoping to calm the worker's fears and quell dissent among their ranks, Hurwitz made a visit to Scotia, accompanied by Gene Elam at John Campbell's suggestion on December 16.¹⁹⁸ He made a dog and pony show of shaking nearly 800 workers' hands, smiled, and made a lot of small talk. Hurwitz may have been reclusive, but he was capable of at least seeming affable.¹⁹⁹ The new owner encountered mostly tentative and apprehensive employees, though there were a few who openly expressed skepticism and quiet—though obvious—defiance. Kelly Bettiga, a third generation employee with a reputation for outspokenness, recalls being disgusted with the entire affair, especially Hurwitz's apparent indifference to the changes he had wrought.²⁰⁰

When Hurwitz approached the monorail mechanics' department, at least one of them with a head for economics wondered how Hurwitz intended to pay for all of the debts he had incurred. As John Campbell and Gene Elam led their new boss to the shipping department, they worried about how their new boss would react to the strong anti Maxxam sentiment displayed there, mostly in the form of graffiti and signs bearing slogans such as "Axe Maxx", "We've been Maxxed", and "Where's Uncle Charlie?" Charlie didn't seem bothered. Instead, he shook more hands, and then approached John Maurer who was watching from a distance, trying to stomach what he was witnessing. Hurwitz then ran his hands over a sample of P-L's old growth clear heart redwood about to be shipped out and commented that they sure were good looking stock. "They're the finest boards anywhere," responded Maurer professionally, but coldly.²⁰¹

Following the tour, Elam and Campbell led Hurwitz to the Winema Theater where the second companywide meeting since the takeover convened. The three addressed the assembled crowd from on stage. Elam gave a long speech in which he dismissed the claims of those suing the board and Maxxam as baseless—gesturing coldly towards Warren Murphy who sat among the higher executives on the stage, while Murphy bit his tongue and bided his time as best he could.²⁰² Hurwitz then attempted to reassure everyone that Maxxam was a "builder and not a liquidator" and that they "were long term investors", statements which would soon become the standard pro-Maxxam party line.²⁰³ He humorously waved off the charges against him by saying that he hoped his mother didn't hear them (neglecting to mention that she was dead).²⁰⁴ He then

¹⁹⁷ "Employees Join Fight Against P-L Takeover", by Lewis Clevenger, *Eureka Times-Standard*, December 13, 1985.

¹⁹⁸ Harris, op. cit., page 105.

¹⁹⁹ Abramson, July 13, 1986, op. cit.

²⁰⁰ Harris, op. cit., pages 106-07.

²⁰¹ Harris, op. cit., pages 106-07.

²⁰² Harris, op. cit., pages 109-10

²⁰³ Abramson, July 13, 1986, op. cit.

²⁰⁴ Harris, op. cit., page 109.

fielded many questions, including the level of control he would exercise over the daily management of Pacific Lumber, to which he responded that he would only intervene “if the profits aren’t there.”²⁰⁵

John Campbell answered most production related questions and announced that there would be a modest increase in harvesting levels, perhaps no more than 20 percent, but that the employees would benefit from the overtime. He also claimed that—contrary to claims made by critics—most of the work would still be done in house. When the aforementioned mechanic questioned Hurwitz on how the latter intended to address the costs incurred by the debt, the CEO responded, “cut back on electricity.” Much of this seemed to pacify many of the apprehensive workers and their families, other than Kelly Bettiga who fumed silently, sitting near the front of the audience.²⁰⁶

Thinking that he had won over the crowd, Hurwitz uttered a statement, which was quoted in *Time Magazine*—that bore naked the corporate raider’s hubris for all to see. With a slight chuckle, he declared to the 800-plus employees of Pacific Lumber, “There’s a little story about the Golden Rule—those who have the gold, rule.”²⁰⁷ Hurwitz would later claim that he had been making a joke. Kelly Bettiga, didn’t think so. Hurwitz essentially had just declared, “greed is good,” as far as the millworker was concerned. He recalled wanting to “stand up and strangle the arrogant son of a bitch,” but instead watched helplessly as almost everybody (other than himself, a handful of other dissidents, and Warren Murphy) laughed ever louder, especially Campbell.²⁰⁸ However, other equally angered P-L workers did not recall the reaction being as favorable. According to 42 year company veteran Wiley Lacey, “When Hurwitz told the P-L employees (that), he pissed a lot of people off. When you threaten somebody’s pension, there’s a lot of hard feelings.”²⁰⁹

* * * * *

Still the Murphys soldiered on. Just before the end of the year, Warren and Woody Murphy contacted Hurwitz attempting to convince the latter to sell Pacific Lumber at an unspecified amount exceeding \$40 per share. The Maxxam CEO laughed and explained that he “just wasn’t interested.”²¹⁰ Meanwhile, the Pacific Lumber board of directors decided that shareholders owning stock as of January 10, 1986 would be eligible to vote on the proposed sale at a stockholders’ meeting in Portland, Maine on February 25, and mailed proxy statements to them. The Murphys’ legal maneuvers in Maine were kicked back to Judge Schwarzer’s court in San Francisco, so they re-

²⁰⁵ Abramson, July 13, 1986, op. cit.

²⁰⁶ Harris, op. cit., pages 110-11.

²⁰⁷ Henson and Phillpott, May 1990, op. cit.

²⁰⁸ Harris, op. cit., pages 111-12.

²⁰⁹ “Giant Redwoods Fall to Corporate Raider”, by Adam Miller, <http://thedagger.com/archive/treehug/redwoods.html>, March 29, 2005.

²¹⁰ Harris, op. cit., pages 113-14.

filed their suit there on January 25, 1986, seeking a preliminary injunction to stop the shareholder vote on the proposed merger.²¹¹

Hope seemed elusive for Bertain and the Murphys at this point, primarily because the judges had thus far denied their efforts to engage in discovery which—if allowed—would have revealed evidence of insider trading and collusion, but they had at least two small bits of evidence they could potentially rely upon. First, Bertain had received calls from Ivan Boesky’s office inquiring about the attorney’s legal plans, which was an odd coincidence at least, but pointed to deeper involvement by the speculator in Maxxam’s own dealings. The second was Hurwitz’s takeover plans that had been filed with the SEC. Somehow, an anonymous individual within P-L’s management had smuggled copies of it to Bertain.²¹² The attorney leaked the documents to the *Eureka Times-Standard*, who reported on their contents on December 28. The article reported that Hurwitz’s plans included increased lumber harvesting. As suggested, this was due to the \$870 million debt incurred by Maxxam in the takeover. The documents also stated that, “The purchaser may also consider selling portions of the company’s timberlands.”²¹³

The flummoxed Maxxam spokesmen moved quickly to quell potential opposition. P-L public relations manager David Galitz argued that since the document was filed during the early stages of the takeover, that Charles Hurwitz “may have changed his mind on some points.”²¹⁴ Hurwitz refused to speak to reporters or publically comment, however.²¹⁵ John Campbell claimed that the increased harvest had nothing to do with the merger and been in the planning stages for at least two years. This was, of course, a gross distortion of the truth, because the P-L board had refused Campbell’s and Stephens’s proposals just three months earlier.²¹⁶

Campbell also cited “market conditions” as the reasoning behind the increase, citing decreased shipments of top-grade old growth products from other mills in the region. Campbell attributed *that* to the federal government’s purchase of private old growth forests when Redwood Park expanded in 1978²¹⁷, a contention that had already been proven to be a lie.²¹⁸ However, the biggest untruth of all was the citation of “market conditions” at all, because these had never truly been a consideration at the old Pacific Lumber which had bucked the trends for decades before Maxxam appeared “on the

²¹¹ “Suit Filed to Halt P-L Merger Vote”, by Lewis Clevenger, *Eureka Times-Standard*, January 26, 1986.

²¹² Harris, op. cit., pages 115-17.

²¹³ “Document Reveals Plans for P-L; Increased Production, Sale of Timber Possible”, by Lewis Clevenger, *Eureka Times-Standard*, December 28, 1985.

²¹⁴ Clevenger, December 28, 1985, op. cit.

²¹⁵ Markoff, October 27, 1985, op. cit.

²¹⁶ Harris, op. cit., pages 44-50.

²¹⁷ “Pacific Lumber Will Increase Mill Production: Hike is Not Related to Merger”, by Gina Bentzley, *Eureka Times-Standard*, February 21, 1986.

²¹⁸ “Timber Outlook”, by Bob Martel, *Country Activist*, June 1988.

horizon.”²¹⁹ Emboldened by the revelations, Bertain declared, “we want the court to conduct a full hearing on all the issues surrounding the (merger) proposal.”²²⁰

On February 12, however, Judge Schwarzer dashed the Murphys’ hopes, as well as all other stockholders hoping to stop Hurwitz a third time, rejecting every claim they had made. In his ruling, Schwarzer declared, “(P-L’s board of directors acted) in the best interest of the shareholders and the corporation. It is abundantly clear (the board) did not rush into the arms of Maxxam...(there is) no evidence whatever (to the contrary).”²²¹ According to one of Bertain’s assistants, the judge made no efforts to conceal his bias against the plaintiffs:

“We didn’t even get the opportunity to cross examine witnesses, because the judge would not allow a full evidentiary hearing. We simply made our oral arguments. When we were finished, Judge Schwarzer started reading from his ruling, which he had written before we even began.”²²²

The usually good natured Bertain was even more direct, angrily exclaiming to the judge and opposing council, “well I hope you’re happy; you’ve just signed Humboldt County’s death warrant!”²²³

As if to signal that the matter was final, Pacific Lumber officials along with representatives of General Electric held a ceremonial “golden shovel” ceremony kicking off the construction of the new cogeneration plant in Scotia on Thursday, February 20. The ceremony was attended by Gene Elam, P-L power plant manager Rich Sweet, and Humboldt County District 2 supervisor Harold Pritchard, all of whom still insisted that the new plant proved that Maxxam would not upset the balance that the old P-L had maintained for so long.²²⁴

Even this didn’t put an end to the last minute attempts at a legal miracle. At Bill Bertain’s suggestion, John Maurer and his wife, Laurie, organized a petition to demand that the city of Rio Dell oppose the merger under Article 10 of P-L’s Articles of Incorporation which required the company to solicit information regarding potential merger impacts on cities and other legal entities from the municipalities directly affected by such an event.²²⁵ Rio Dell city attorney Robert Zigler had informed the council of the option but declined to represent the city, leading the latter to retain Eureka attorney Arnie Braafladt, whose legal fees were paid for from donations made

²¹⁹ Bentzley, February 21, 1986., op. cit.

²²⁰ “Suit Filed to Halt P-L Merger Vote”, by Lewis Clevenger, *Eureka Times-Standard*, January 26, 1986.

²²¹ “Judge Clears Way for Merger of Maxxam, PL”, *UPI Wire*, *Eureka Times-Standard*, February 13, 1986.

²²² Abramson, July 13, 1986, op. cit.

²²³ Harris, op. cit., page 117.

²²⁴ “Construction Begins on P-L Power Plant” by Gina Bentzley, *Eureka Times-Standard*, February 21, 1986.

²²⁵ Harris, op. cit., page 118-23.

by the petitioners.²²⁶ The organizers obtained 150 signatures from the town's residents in less than 24 hours, and they felt confident that mayor McKnight, who had already been on record as opposing the merger, would support their efforts. Indeed, at the Rio Dell city council meeting on Tuesday, February 18, the city council, led by the mayor agreed to take the matter under advisement and hold a special session two days later to make their decision.²²⁷ Their hopes were short-lived.

The petitioners were the victims of extremely bad timing. Very early on the morning of February 18, a flash flood brought on by a freakish winter rainstorm that blasted Sonoma, Mendocino, and Southern Humboldt counties washed out a bridge that also carried the mains that provided Rio Dell's fresh water supply. On top of that, a fire erupted in one of the buildings in the battered town's downtown commercial district. John Campbell arranged for a temporary source of water to be supplied from Scotia and then ordered a battalion of P-L's water trucks to put out the fire. When Campbell heard of McKnight's willingness to invoke Article 10 twelve hours later, he threatened to cut off the emergency water rations. Two days later, when Laurel appeared before the Rio Dell City Council meeting on February 20, armed with a petition signed by 150 of the town's residents, McKnight betrayed the dissidents. After a 30 minute closed door session with city council, the officials refused to take up the matter.²²⁸ McKnight's official explanation was that the council had three motivating factors: first, there was a very real possibility Maxxam would countersue the city as it had Rancho Mirage; second, Rio Dell had good relations with Pacific Lumber, and third, the potential damage was "strictly theoretical, so far."²²⁹ This was the last straw. On February 25, 1986, at the shareholders' meeting, Hurwitz got his supermajority. The deal was done.

* * * * *

Reaction among many of the workers, stockholders, and Scotians was now one of resignation. Long time P-L employee, Idella Kent declared, "I feel as though an era has ended with this merger. People aren't going to feel that this is home the way they did, or that they can put down roots here."²³⁰

Her fellow employee, Randy Jeffers added, "Even people in this town who don't own a dime of this company feel like they own it. It hurts like hell when someone comes along and tells you that stockholders come first and employees are number two."²³¹

Don Filby who had served as a manager of lumber operations for more than 32 years said, "Over the years there was an obligation to the community and with the change in ownership, that obligation will be lessened." Another unnamed worker stated, "There

²²⁶ "Rio Dell Won't Challenge P-L Merger", by Lewis Clevenger, *Eureka Times-Standard*, February 21, 1986.

²²⁷ Harris, op. cit., page 118-23.

²²⁸ Harris, op. cit., page 118-23.

²²⁹ Clevenger, February 21, 1986, op. cit.

²³⁰ Abramson, July 13, 1986, op. cit.

²³¹ Abramson, July 13, 1986, op. cit.

has been an underlying change. (Now) there's a mistrust of the people who are running the company."²³²

Scotia pastor Stave Frank opined, "In Scotia, you can't separate the community and the workplace. It's not just a job here; it's a way of life, a family. After the takeover, people saw that way of life as being vulnerable. And the question is, will that way of life be maintained over time?"²³³

In some cases, the resignations were literal. Warren Murphy could not stomach serving for the new regime and ended his relationship with the company that his family had literally built. In a last act of betrayal, Campbell told his former friend that he and his family could remain in his residence in Scotia "for as long as he wanted," but issued an eviction notice the very next day.²³⁴ The Murphy family would have no role in the new management structure. Said the last would be scion of the dynasty that was no more, "My grandfather and my father shared a vision. If you take care of the resources and take care of the people and put out a good product, everything else runs itself. What will be missing now is that whole paternal feeling."²³⁵ He was to be followed by John Maurer who vowed to continue his fight against Maxxam, but not directly under Hurwitz's economic thumb.²³⁶

As predicted by critics of the takeover, many of the directors that had approved the sale benefitted from it. Gene Elam retired from Pacific Lumber, golden parachute and all, earning in excess of \$424,863.²³⁷ When asked, the former exec would not comment on the reasons for his resignation.²³⁸ He was replaced by William C. Leon, one of Hurwitz's lieutenants who served as head of other Maxxam holdings. Vice president, general counsel, and secretary Ed Beck exited with \$201,280. Although executive vice presidents Thomas B Malarkey Jr. and John Campbell as well as vice president Vincent C. Garner did not resign, they were guaranteed severances of \$243,000, \$169,815, and \$200,000 respectively should they leave the company within the next two years.²³⁹

As feared, the purchase of Pacific Lumber had given Hurwitz a substantial debt. His junk bond interest obligations by far exceeded the entire average annual P-L profits.²⁴⁰ Maxxam began liquidating assets and accelerated timber production, but not by a mere 25 percent. Within a year, lumber harvesting literally *doubled*,²⁴¹ and the increased production overwhelmed the Scotia Mill. To handle the increased old growth lumber production, Pacific Lumber announced, on April 4, 1986, the purchase of an existing

²³² Abramson, July 13, 1986, op. cit.

²³³ Abramson, July 13, 1986, op. cit.

²³⁴ Harris, op. cit., page 125.

²³⁵ Abramson, July 13, 1986, op. cit.

²³⁶ "John Maurer's Candidate Statement for Humboldt County Supervisor", by John Maurer, *Country Activist*, May 1988.

²³⁷ "P-L Chief Quits, Gets \$400,000", *Eureka Times-Standard*, June 10, 1986.

²³⁸ Abramson, July 13, 1986, op. cit.

²³⁹ "Takeover Gives P-L Huge Debt", by Gina Bentzley, *Eureka Times-Standard*, July 21, 1986.

²⁴⁰ Daly, September 1994, op. cit.

²⁴¹ "Earth First! Press Release", by Greg King, *Mendocino Commentary*, June 4, 1987.

mill in Carlotta that Louisiana-Pacific had plans to shutter, laying off 100 nonunion employees. The facility had operated with two eight-hour shifts daily, and was equipped to handle 60 million bf of old growth timber which had been depleted due to recent overcutting on nearby federal lands. P-L promised to interview some of the furloughed workers, but would ultimately hire only a portion of them.²⁴² P-L planned to open the mill on May 19, 1986 and use it to mill old growth Douglas Fir harvested from the nearby Van Duzen river area, on land purchased from L-P a few years previously ironically enough.

The mill was now expected to handle about 30 million board feet of lumber per year under the new regime. IWA Local 3-469 business agent Don Nelson, speaking on behalf of some of the existing P-L workers who had contacted the union about organizing, relayed fears that the new soon-to-be P-L employees would be paid the same wage as they had been under L-P's regime, and even suggested that the union was looking to establish a new local in Rio Dell, but P-L employee relations director Steve Hart denied these charges, claiming that any new hires would earn the same wage as all other existing company mill workers, which was higher than the nonunion mill workers at L-P. Pacific Lumber only hired fifty of the workers, however leading further credence to the contention that under Hurwitz's watch P-L would *indeed* be the new L-P.²⁴³

Pacific Lumber *did* hire new workers, including 25 loggers to work in the woods, but most of them were gyppo operations that already contracted with P-L or other logging concerns.²⁴⁴ Many of the additional workers that *were* employed by the company had been recruited from out of state, no doubt to blunt the IWA's union organizing efforts, which Maxxam opposed as much as the old P-L.²⁴⁵ Proof of Hurwitz's anti-union sentiment could be seen in the handling of the building of the new cogeneration plant. It went ahead as planned, using non-union labor from out of the county even though unionized building trades workers were readily available, and General Electric had originally contracted with Plumbers and Pipefitters Union Local #471 for its construction. According to union representative Gary Haberman, Maxxam hired a company from the Gulf of Mexico to work on the plant. The labor was brought in mostly from Wyoming. Union organizers checked the power plant parking lot and reportedly 34 out of 46 cars had out-of-state plates. Thus, not only was the work not going to local residents, the State of California wasn't even getting the vehicle registration fees, thus demonstrating that many of the claims about the merger benefitting the local economy had been empty talk.²⁴⁶ The IWA Local 3-98 union organizing attempt

²⁴² "L-P Mill Sold; Over 100 to be Laid Off", *Eureka Times-Standard*, April 4, 1986.

²⁴³ "L-P Closes Carlotta Mill, but Saws Won't be Idle for Long", by Gina Bentzley, *Eureka Times-Standard*, May 1, 1986.

²⁴⁴ Abramson, July 13, 1986, op. cit.

²⁴⁵ "Trespass Into Paradise", by Greg King, *Country Activist*, December 1986.

²⁴⁶ "Here and There in Mendocino County", by Bruce Anderson, *Anderson Valley Advertiser*, on February 22, 1989.

itself fizzled. John Campbell claimed that the IWA's efforts had met with resistance from "most workers", but in all likelihood that statement was also a lie.²⁴⁷

As for the workers benefits, which Hurwitz promised to leave untouched for three years, there were no guarantees that these would be extended after the three-year deadline. Hurwitz quickly terminated the annual cost of living increases that were paid out of the \$55 million pension surplus, but he remained obligated to provide for the vested pension benefits covering more than 2,600 beneficiaries. To meet this condition, Maxxam signed a \$37.3 million contract with Executive Life Insurance Company in early 1986, despite objections by Vincent C. Garner and advice against such actions by independent consultants. Additionally, the Executive Life bid had been received late, after all the other competing bids had been reviewed, and was delivered directly to Maxxam instead of Garner as stipulated in the competitive bid proposal. As it turned out, Executive Life was the primary subsidiary of the First Executive Corporation which was a purchaser of junk bonds used to fund a certain takeover of a certain Humboldt County lumber company, although Executive Life chairman Fred Carr (another Maxxam ally) denied any collusion and claimed no knowledge of the overfunded pension plan at the time. Garner, however was highly suspicious of the selection and took the matter to his superiors only to be shined on. This led to his resignation from P-L as well. Under the Executive Life annuity plan, there were no provisions for the cost of living increases as before, and evidence suggested that the plan was no longer insured. This meant that the P-L retirees as well as vested former and current employees risked losing all of their benefits should Executive Life declare bankruptcy.²⁴⁸

Pacific Lumber, which once stood in stark contrast to the robber-baron practices of Georgia Pacific and Louisiana-Pacific, was now under the control of Charles Hurwitz, a man who was virtually indistinguishable in the temperament or business practices of Harry Merlo. But could this have been avoided? In all likelihood the answer is "no". In a very real sense, the Murphy dynasty had dug its own grave, slowly, shovel by shovel even as it thought it was ensuring its long term stability. Under ideal, storybook conditions in enlightened economic textbooks, the sort of welfare capitalism Pacific Lumber instituted, ironically to thwart the "socialism" of the IWW, left it open to the vampire capitalism of which Hurwitz and Merlo represented the vanguard. P-L public affairs manager David Galitz *almost* hit the nail on the head when he declared, "It is unfortunate that the myth existed that we were controlled by one working family. Once we were listed on the New York Stock Exchange and bought by pension funds and investment brokers, they became our true owners. Perhaps it's too bad we didn't realize that."²⁴⁹ In fact, it was the IWW slogan, "Capitalism cannot be reformed" which best described the fatal flaws in the Murphy Dynasty's paternalistic endeavor, even if it

²⁴⁷ King, *Country Activist*, December 1986, op. cit.

²⁴⁸ "P-L Pensions in Jeopardy", *Takeback*, Volume 1, #1. February 1989.

²⁴⁹ Abramson, July 13, 1986, op. cit.

took almost three quarters of a century to prove it. The situation seemed dark indeed, but fortunately, a new dawn was about to break, once again in Humboldt County, the crucible of radicalism in the timber industry.

5. No Compromise in Defense of Mother Earth!

“One man, Charles Hurwitz, is going to destroy the largest remaining block of redwoods out of sheer arrogance. Only we the people can stop him.”

—Dave Foreman, October 22, 1986.¹

*Well I come from a long, long line of tree-fallin' men,
And this company town was here before my grandpappy settled in,
We kept enough trees a-standin' so our kids could toe the line,
But now a big corporation come and bought us out, got us working double time...*

—lyrics excerpted from *Where are We Gonna Work When the Trees are Gone?*, by Darryl Cherney, 1986.

On the surface, very little seemed to have changed in Scotia for its more than 800 residents, but deep down, they all knew that the future was very much uncertain. Some seemed unconcerned, such as 18 year Pacific Lumber veteran Ted Hamilton, who declared, “We’re just going on as always,” or his more recently hired coworker, millworker Keith Miller, who had been at the company less than six years and who stated, “It doesn’t bother me much.”² Indeed, many of the workers seemed to welcome their newfound financial prosperity.³ However, there were at least as many workers whose assessments were quite pessimistic, including millworker Ken Hollifield, a 19 year veteran who opined, “I’m sure this place won’t be here in five to seven years.” Former millworker and then-current owner of the Rendezvous Bar in Rio Dell, George Kelley, echoed these sentiments stating, “For 2½ years they’ve got a good thing going. After that they don’t know what’s happening.” Dave Galitz dismissed the naysayers’ concerns as typical fear of change, but careful estimates of the company’s harvesting rates bore out the pessimistic assessments. In the mills and the woods, however, production had increased substantially, to the point that many were working 50 and 60 hours per week. If there was to be any organized dissent, it would be difficult to keep it together,

¹ “Redwoods Cutting Plan Provokes a Protest”, by Dale Champion, *San Francisco Chronicle*, October 23, 1986.

² “Scotia: Life as Usual Despite Fears”, by Cindy Fonstein, *Eureka Times-Standard*, July 22, 1986.

³ Harris, David, *The Last Stand: The War between Wall Street and Main Street over California’s Ancient Redwoods*, New York, NY, Random House, 1995, page 135.

because the workers had little time to spare.⁴ There seemed to be little they could do outside of a union campaign, and the IWA had neither been inspiring nor successful in their attempt.

Deep in the woods however, the changes were readily obvious. In 1985, the old P-L had received approval from the California Department of Forestry (CDF) to selectively log 5,000 acres.⁵ With John Campbell at the helm, under the new regime, the company filed a record number of timber harvest plans (THPs) immediately following the sale, and all of them were approved by the CDF. There was more than a hint of a conflict of interest in the fact that the director of the agency, Jerry Pertain, had owned stock in the old Pacific Lumber and had cashed in mightily after the merger.⁶ Since the takeover, the new P-L had received approval to log 11,000 acres, 10,000 of which were old growth, and there was every indication that these timber harvests would be accomplished through clearcutting.⁷ Pacific Lumber spokesmen who had boasted about the company's formerly benign forest practices now made the dubious declaration that clearcutting was the best method for ensuring both long term economic and environmental stability.

P-L forester Robert Stephens claimed that the old rate was unsustainable anyway, declaring, "About five years ago, it became apparent that there is going to be an end to old-growth. We simply cannot operate on a 2,000 year rotation."

Public affairs manager David Galitz repeated what would soon become the new regime's gospel, that clearcutting had actually been in the works for some time before the hint of a merger, even though in actual fact, this was untrue.

Pacific Lumber's logging operations which had hitherto been idyllic by comparison now outpaced those of even Louisiana-Pacific and Georgia-Pacific. They tripled their logging crews, bringing in loggers from far away who had never known the old Pacific Lumber and had no particular loyalty to the fight to prevent Hurwitz's plunder of the old company.⁸ Most of the new hires were gyppos, and there were rumblings among the old timers that the quality of logging had decreased precipitously. In John Campbell's mind, such inefficiencies were likely to be temporary and any small losses that occurred were more than offset by the much larger short term gain. The expense to the viability of the forest, however, was never entered into the ledger.⁹ One resident who lived very close to the border of Pacific Lumber's land relayed their impressions, writing:

"I live at the end of (the) road in Fortuna. Maxxam's Pacific Lumber logging trucks drive by our house six days a week now. (It has) never been like this in the past. Ordinarily, logging was five days a week in summer...

⁴ "Scotia: Life as Usual Despite Fears", by Cindy Fonstein, *Eureka Times-Standard*, July 22, 1986.

⁵ "Liquidating the Last Redwood Wilderness", by Greg King, *Earth First! Journal*, Lughnasadh / August 1, 1987.

⁶ "Slow Clearcutting Bill Amended and Defended", by Andy Alm, *EcoNews*, June 1987.

⁷ King, August 1, 1987, op. cit.

⁸ "Trespass Into Paradise", by Greg King, *Country Activist*, December 1986.

⁹ Harris, op. cit., pages 132-33.

“From Newberg Road you can look up and see the damage they are doing to the badly eroding hills, now bare of third growth. They are logging third growth from their graveled road now. As the trucks come by, it is amazing to see how small their (logs are), like flagpoles.

“What will be the value of their property when all of the trees are gone? Are they trying to eliminate all other competition—L-P, Simpson, etc.—as their long-range goal?”¹⁰

Environmentalists expressed alarm and outrage at the sweeping and regressive changes that had been instituted now that Hurwitz had assumed control of Pacific Lumber. John DeWitt, executive director of Save the Redwoods League, the organization that had been instrumental in coaxing the Murphy Dynasty to adopt sustainable logging practices in the first place, expressed these fears stating, “We thought they practiced excellent forestry over the past 125 years and deplore the fact they’ll double the cut. It may result in the ultimate unemployment of those who work at Pacific Lumber.”

Robert Stephens countered, “From the standpoint of getting your timber growing vigorously, this is the best method.”

John DeWitt responded by declaring, “In the short term, (clearcutting) may be a good method, but in the long term, it will destroy the productivity of the soil. The forest will not be able to grow trees.” The company’s estimates suggested that if they cut at this new rate, doubling the 1985 harvest of 300 million bf, they would deplete their supply of old growth timber in twenty years, leaving them with only managed second growth stands, not all of which would be harvestable.

NEC director Tim McKay also chimed in, declaring:

“Clearcutting might be the best method if you consider only certain criteria. Ultimately the systemic reduction of the forest to an even-age stand of trees eliminates the habitat diversity that existed prior to clearcutting. We’re being asked to believe that all of this complex ecosystem being thrown away is not all that important.”¹¹

Maxxam’s debt servicing was of no less concern. According to company documents filed with the SEC, Hurwitz reorganized Pacific Lumber, separating its timberlands and forest products operations from its highly profitable welding division. He redistributed the debt so that \$550 million was assumed by the former and \$200 million by the latter.¹² Then Maxxam dumped several of P-L’s assets, including a 100,000 square foot office building in downtown San Francisco, 4,000 acres of San Mateo County

¹⁰ “Maxxam Keeps Busy”, letter to the editor by R. P. Greene, *EcoNews*, January 1987.

¹¹ “New P-L Era Off to Uneasy Beginning”, by Gina Bentzley, *Eureka Times-Standard*, July 20, 1986.

¹² “Takeover Gives P-L Huge Debt”, by Gina Bentzley, *Eureka Times-Standard*, July 21, 1986.

timberland, 3,400 acres of farmland in Sacramento Valley, and more than 4,000 of its 189,000 acres of redwood and Douglas fir timberlands. Following that, they transferred P-L's lucrative welding operations to other subsidiaries.¹³ This followed Hurwitz's established patterns and it raised just as many doubts about the long term future for Humboldt County's economy.¹⁴

* * * * *

In spite of the existing North Coast environmental organizations' opposition to P-L's unprecedented changes, they all already had full plates and were not set up for the drastic countermeasures that Maxxam's rapid devastation warranted. Fortuitously, there was a new militant environmental movement ready to rush in where angels feared to tread, founded by Bart Koehler, Dave Foreman, Ron Kezar, Mike Roselle, and Howie Wolke in 1979, which they called "Earth First!". In April 1983, this new movement carried out their first act of militant nonviolent civil disobedience in defense of ancient forests, appearing out of nowhere in the Siskiyou National Forest in Oregon to stand between a running bulldozer and a tree. This was the first act in what became an ever and rapidly escalating campaign in protest against the liquidation logging by Corporate Timber. These acts involved tree spiking (driving large nails into trees in order to hinder the cutting and processing of timber), tree sitting (which involved the suspension of small platforms high up in the tree's canopy), activists chaining themselves to timber equipment, and forming human barricades on logging roads by setting their feet in cement-filled ditches or burying themselves in rock piles.¹⁵ Such forms of civil disobedience were not new, though they had rarely been used in defense of wilderness before, and Earth First! was a typical environmentalist organization. Its adherents described it as "the radical environmental movement" and its guiding principle was (and still is) "No compromise in defense of mother Earth!"¹⁶

Earth First's founders had each been involved in various environmental organizations, including especially the Sierra Club, but had grown disillusioned with the latter's post-David Brower era pragmatism and tendency to compromise with those they felt were responsible for the development (and hence destruction) of wilderness areas. They were inspired by the writings of Ed Abbey, whose bestselling novel, *The Monkeywrench Gang*, a fictional action-adventure tale about four environmentalists-turned-guerilla saboteurs, whose actions climax with the destruction of the Glen Canyon dam in Arizona. On a more practical level, Earth First! had been influenced by ecologists such

¹³ "Maxxam: Ultimate Land Rapers", anonymous, *Country Activist*, June 1986.

¹⁴ Bentzley, July 21, 1986, op. cit..

¹⁵ 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 4 – Ecological Conflict and Class Struggle."

¹⁶ "Earth First! vs. the Rumor Mongers", by Lobo X-99, *Industrial Worker*, September 1988.

as Rachel Carson¹⁷, Aldo Leopold¹⁸, James Lovelock¹⁹, Arne Naess²⁰, Kirkpatrick Sale, Henry David Thoreau, and of course, John Muir. They took their inspiration from dissidents within the mainstream environmental movement, including David Brower.²¹

The founders of Earth First! positioned themselves as the radical opposition that Brower thought the Sierra Club should be, and they did so unapologetically. Even the use of the exclamation point in their name, a decision made very early on by Dave Foreman, was intended for shock value.²² Their “No compromise!” position was an articulation of their thinking, that when it comes to the viability of life on Earth, making deals with its despoilers in the interests of pragmatism might save “half a loaf” today, but in the long run would result in the eventual collapse of the entire bakery. This resonated with a great many disillusioned environmentalists, and right from the beginning, Earth First! attracted many adherents through its regular periodical, *Earth First!* (later renamed the *Earth First! Journal*), its colorful actions, and its grassroots organizing—which was accomplished largely through the vehicle of traveling slide presentation and music shows, featuring the many naturalists and musicians who had joined the movement.²³

If this has a familiar ring to it, it should. Earth First! was to the environmental movement what the IWW was to the union movement, and this was not completely coincidental either. It had been rumored that Ed Abbey’s father had been a dues paying member of the IWW, and Dave Foreman confirmed in 1991 that he consciously looked to the IWW for inspiration:

“When we formed Earth First! in 1980, we consciously tried to learn from the strategy and tactics of left social movements. The Wobblies were certainly one group we were drawn to. I even published a Little Green Songbook, taking after the Little Red Songbook of the IWW. I’ve talked to Utah Phillips and some old Wobblies; I am really attracted to a lot of what they have to say...”²⁴

¹⁷ For example, see, Carson, Rachel, *Silent Spring*, Hamondsworth, Penguin, 1965.

¹⁸ For example, see, Leopold, Aldo, *A Sand County Almanac*, Oxford, Oxford University Press, 1949.

¹⁹ For example, see, Lovelock, James, *Gaia: A New Look at Life on Earth*, Oxford, Oxford University Press, 1979.

²⁰ For example, see, Naess, Arne, *Ecology, Community, and Lifestyle*, Cambridge, Cambridge University Press, 1989.

²¹ “A Lesson for Environmentalists: The Earth First! Split, Part 1”, by Russell Norvell, *Anderson Valley Advertiser*, November 7, 1990.

²² “! A Point of Contention with Editors, Earth First!”, by Bley W. Rose, *Santa Rosa Press Democrat*, August 12, 1990.

²³ “Fellow Workers, Meet Earth First!: an Open Letter to Wobblies Everywhere”, by x322339, *Industrial Worker*, May 1988.

²⁴ Chase, Steve ed., *Defending the Earth, a Dialog Between Murray Bookchin and Dave Foreman*, Woods Hole, MA, South End Press, 1991, 50-51.

Fittingly, Earth First! tended to be composed of a substantial number—though not exclusively—of working class people in contrast with the mainstream environmental movements who tended to be more oriented towards middle class professionals.²⁵ However, they never saw themselves as a “left wing” organization. Indeed, Dave Foreman once said of Earth First! “We aren’t left, we aren’t right, we aren’t in the middle, (and) we aren’t even in front or behind. We aren’t even playing that game!”²⁶ Earth First!er Roger Featherstone elaborated:

“There are as many different opinions in the EF! movement as there are fly-specks in a barn. Earth First! cuts across the political and social spectrum. There are as many folks in EF! who think of themselves as conservatives as there are those who identify with the Left. There are more working class folks in EF! than in most environmental organizations, but we also have some entrepreneurs and even a few wealthy supporters. What unites us is our fight to save wilderness and our belief that Homo-Sapiens is only one of a myriad of equally important species...We aren’t big on conformity.”²⁷

Cofounder Howie Wolke agreed, stating that he had wanted Earth First! to appeal to:

“...not only wilderness fanatics like myself, but also to a wide variety of people who are not and have never been locked in to the narrow dogma of the straight environmental movement. I’m talking cowboys, auto mechanics, musicians, construction workers, wilderness guides, bouncers, cooks, dishwashers, welfare bums, topless dancers, and white collar office workers.”²⁸

Even the founders themselves shared this diversity. Dave Foreman had a “typical” middle class background.²⁹ In fact, in his early twenties, he had been a Goldwater Republican and a member of William F. Buckley’s Young Americans for Freedom—hardly what one would expect from a leader of new radical movement. He had enrolled in the Marine Corps Officer Candidates School at Quantico (to avoid being drafted and sent to Vietnam) and had soured on the experience, which ultimately caused him to jettison many of his conservative political beliefs.³⁰ By contrast, Mike Roselle had working class roots, had been a high school dropout, and had been part of the student antiwar movement during the Vietnam War. He later worked in the oil industry as

²⁵ x322339, op. cit.

²⁶ “Who Bombed Judi Bari”, film by Darryl Cherney and Mary Liz Thompson, 2012.

²⁷ “Earth First! & the IWW: an Interview with Roger Featherstone”, by Franklin Rosemont, *Industrial Worker*, May 1988.

²⁸ “The Grizzly Den”, by Howie Wolke, *Earth First! Journal*, Beltane / May 1, 1983.

²⁹ “The Secret History of Tree Spiking, Part I”, by Judi Bari, *Anderson Valley Advertiser*, February 17, 1993 and *Earth First! Journal*, Yule / December 21, 1994.

³⁰ Chase, op. cit., pp 47-48.

a wildcatter, before embracing environmentalism.³¹ Earth First! was nothing if not unusual.

As one would expect, Earth First! certainly didn't appeal to the right. This was largely due to the movement's advocacy of "monkeywrenching", essentially a form of covert guerilla sabotage which took on many forms, including the removal of survey stakes, the sabotage of earth moving equipment, vandalism, and "tree spiking" (the driving of large nails into standing tree trunks as a deterrent to logging), among others.³² Although such actions were not "officially" sanctioned by Earth First! the *movement*, Dave Foreman, the *individual*, coauthored and edited a book called Ecodefense: a Field Guide to Monkeywrenching, and while it included a carefully worded disclaimer, it was still essentially pegged as being an Earth First! product. The *Earth First! Journal* hocked it along with a large selection of other books and Earth First! merchandise, and that publication featured a regular column titled "Dear Nedd Ludd" (after the Luddites of England), which consisted of further monkeywrenching techniques, some of which were added to later editions of the book. Ecodefense advised *against* the use of explosives and firearms however, and stressed that monkeywrenching was and should remain nonviolent, including towards humans, but to conservatives this mattered little. Their biggest complaint was that Ecodefense advocated the encroachment into and the damage to *private property*, which *was* violence as far as the right was concerned. To them, Earth First! were a band of terrorists.³³

However, Earth First! didn't exactly endear itself to the traditional left either for many reasons, including its tendency to eschew class analysis in its environmental critique of the status quo. Many Earth First!ers traced the destruction of the Earth to industrial activity *in general*, destructive technology, and the "myth or Western Progress" rather than the consequences of capitalist economic practices. They rejected class struggle philosophically as being "anthropocentric", ultimately secondary or even irrelevant to the long term viability of the Earth's biosphere. At times, prominent spokespeople, including especially Dave Foreman, actively *resisted* attempts by organized minority tendencies within Earth First! to introduce class struggle and state-power analysis into the debate, ostensibly in fear that too much emphasis on such things might distract from ecological issues.³⁴

Earth First! wasn't a reactionary movement, per se. It's adherents *did* have a very highly developed ecological consciousness, often referred to as "Deep Ecology," which maintained—among other things—that organized human activity should regard ecol-

³¹ "Leadership Dispute Splits Earth First!", by Mike Geniella, *Santa Rosa Press Democrat*, August 12, 1990.

³² Foreman, Dave and "Bill Haywood" editors; forward! [sic] by Edward Abbey, *Ecodefense: a Field Guide to Monkeywrenching*; (third edition). ©1993, Abzug Press, Chico, CA., pp. 17-50

³³ "FBI Targets Earth First!", by Karen Pickett, *Anderson Valley Advertiser*, July 3, 1991.

³⁴ For example see "Earth First! Alien Nation", by the Alien Nation tendency (a group of anarcho-communist Earth First!ers) and "Whither Earth First!", by Dave Foreman in response to Alien Nation, *Earth First! Journal*, Samhain / November 1, 1987.

ogy and the web of life as its deepest and most essential priority, above all else, including human concerns.³⁵ It also adopted an advanced environmental philosophy often called “Biocentrism”, which held that each species played an important part of the web of life and had an intrinsic value of its own well beyond the human-centered “Anthropocentrism”. These were fairly valid and advanced theories based on at least partially on peer reviewed biological science and careful observations of nature and human’s civilization’s regard (or disregard in most cases) for it.³⁶

Dave Foreman guided a good deal of Earth First!’s vision from the beginning (though he was quickly joined by a great many other deep ecologists with similar perspectives). However, many of these sensible perspectives were layered upon a questionable foundation which drew from at least two sources that divorced environmentalism from class struggle. Rather than incorporate a body of work that deconstructed the capitalist economic tendencies to privatize wealth and socialize or “externalize” its costs and consequences *into* biocentrism, they tended to reject such ideas as irrelevant. Instead, Earth First! turned to Garrett Hardin’s Tragedy of the Commons and the unapologetically reactionary theories of Cambridge professor Thomas Malthus, in particular his Essay on the Principle of Population, to explain the economic forces that drove the destruction of the environment. Both of these seminal documents were deeply flawed, however, even on biocentric grounds.

Hardin’s Tragedy of the Commons, written in 1968, is accepted by many as a well reasoned ecological argument that “multiple individuals, acting independently and rationally consulting their own self-interest, will ultimately deplete a shared limited resource, even when it is clear that it is not in anyone’s long-term interest for this to happen.”³⁷ While perhaps never intended as such, Hardin’s theories were used—time and again—as arguments in favor of both “private” property and strict government regulation of “public property”, by different constituencies, naturally. However, Hardin made it quite clear where he stood, and that was in staunch *support* of privatization.³⁸ But there is no ecological basis for such a stance. the actual distinctions between “private” and “property” are nowhere near as simple as one would imagine, since “private” property is sanctioned by the “public” government in the form of deeds, laws, and law enforcement agencies—usually favoring the capitalist class—and “public” property is often exploited by *private* interests, a critique many Earth First!ers, including Foreman,

³⁵ See Arne Naess, “The Shallow and the Deep, Long Range Ecology Movement. A Summary”, *Inquiry* #16, 1973, pages 95-99; and Devall, Bill and George Sessions, *Deep Ecology*, Salt Lake City, Peregrine Smith Books, 1985.

³⁶ Bari, Judi, *Revolutionary Ecology, Biocentrism and Deep Ecology*, Willits, CA, self published, 1985.

³⁷ “Tragedy of the Commons”, by Garrett Hardin, *Bioscience*, #162, 1968.

³⁸ “The Myth of the Tragedy of the Commons”, by Ian Angus, *Monthly Review*, August 2008.

actually accepted, and logically so. Private property is a relatively recent invention by human beings and is not recognized by nature in any fashion.³⁹

Anarchists and Socialists alike have many cogent critiques of Hardin's on socio-economic grounds. Murray Bookchin, whose writings often critiqued Earth First! from both anarchist and ecological perspectives argued that Hardin's notion that life is a "war of each against all" and based on "survival of the fittest", sometimes referred to as *The Law of the Jungle* was long ago dispelled by anarchist Peter Kropotkin in his famous work *Mutual Aid*, a text that ought to have comfortably found a place in Foreman's body of literature (but didn't).⁴⁰ Eco-socialist Ian Angus noted that Hardin provided no supporting evidence to support his theories and, if anything, *actual* studies of the commons in England and Germany, including those by Frederick Engels, showed the *opposite* to be true, that the people sharing the commons managed them quite well through mutual self-regulation, a form of *laissez-faire communism*, if anything.⁴¹ The pioneering studies conducted by the late Elinor Ostrom, which ultimately won the Nobel Prize for Economics in 2009, proved both Bookchin and Angus were correct, and that Hardin's theories were wrong, on both economic *and ecological* grounds.⁴²

There are likewise numerous problems inherent in Foreman's taking inspiration from Malthus. The latter's theory seems logical enough on ecological grounds. He argued that human population always expands until it exceeds the available food supply. Specifically, population tended naturally when unchecked to increase at a geometrical rate (1, 2, 4, 8, 16), while food supply increased at best at an arithmetical rate (1, 2, 3, 4, 5).⁴³ In other words, the destruction of the Earth's many unique habitats and biodiversity was primarily a result of the sheer numbers of human beings, not their socio-economic relations, and therefore concerning oneself with class is ultimately futile if they're genuinely concerned about the environment. Indeed, it was Malthus's writings which led Garrett Hardin himself to promote what he called, "lifeboat ethics" an argument against aiding those in need on ecological grounds, and no doubt this explains *some* of the link between Malthus and *bourgeois* environmentalism.⁴⁴ Anarchists and socialists alike, however, for over two centuries, have consistently pointed out the weaknesses in Malthus's writings, and they have had plenty of motivation to do so.

Malthus, who was born in 1766 and died in 1834, was *not* an environmentalist, and his treatise was not motivated by *environmental* concerns, but rather a defense of *class privilege*, in response to the utopian ideals of his contemporary, William Godwin,

³⁹ "Will Ecology Become 'the Dismal Science'?", by Murray Bookchin, *The Progressive*, December 1991.

⁴⁰ Bookchin, Murray, *The Ecology of Freedom*, Palo Alto, CA, Cheshire Books, 1982.

⁴¹ "Angus, August 2008, op. cit.

⁴² "How the Magna Carta became a Minor Carta, Part 1", by Noam Chomsky, *The Guardian*, July 24, 2012.

⁴³ "Malthus' Essay on Population at Age 200: A Marxian View", by John Bellamy Foster, *Monthly Review*, December 1998.

⁴⁴ "Yes!—Whither Earth First?", by Murray Bookchin, *Green Perspectives*, September 1988.

an early pioneer of anarchism. Godwin had been a protestant minister, but he had resigned from the clergy. Inspired by the French Revolution, he went on to advocate a society based on equality and the abolition of private property, and he married the feminist Mary Wollstonecraft. Their daughter, Mary Shelley, wrote the original story of *Frankenstein*, which was essentially a condemnation of the industrialists' mistreatment of both nature and the working class. Such ideas were an anathema to the thoroughly reactionary Malthus, who was himself an Anglican clergyman. Malthus argued that starvation and want were divinely inspired to teach virtue and the dangers of sin—though he never offered an explanation on how the *wealthy* managed to avoid it.⁴⁵ In fact, Malthus never used the term “overpopulation” in his writings, and—if anything—*welcomed* the thinning out of human numbers⁴⁶, a rather ghoulish perspective that some Earth First!ers seemed to themselves promote from time to time.

Malthus' radical adversaries were not so enamored with their contemporary, however. Godwin quickly challenged Malthus, arguing that population growth (or lack thereof in some cases) could always be traced to the socio-economic effects, but he was not alone.⁴⁷ Marx and Engels were particularly quick to pounce on Malthus's “theory” as being quack pseudoscience in defense of the ruling class.⁴⁸ Kropotkin's *Mutual Aid* was partly written in response to Malthus, and all other elitist justifications of class privilege that supposedly relied on biological science.⁴⁹ Even Malthus's conservative contemporary, the economist David Ricardo, castigated his fellow conservative's arguments as being class ignorant—noting the quantity of grain available is completely irrelevant to the worker if he has no employment, and that it is therefore the means of employment and not of subsistence which put him in the category of “surplus population”.⁵⁰

To his critics, Malthus was espousing dogma, not science, and as it turns out, the former were correct. For one thing, Malthus offered no basis for his arithmetical ratio, as well as the admission that he was forced to make in the course of his argument that there were occasions in which food had increased geometrically to match a geometric rise in population thereby invalidating his own thesis.⁵¹ This has been proven without as shadow of doubt in modern times. The rate of population growth peaked in the 1960s and has been declining ever since, in spite of a consistent increase in available food supply. And this is not a case of limited supply either. According to the United Nations, in 2007, there was more than enough food available to give every single person 2800

⁴⁵ “The Controversy that Wouldn't Die: Workers' First!”, letter to the editor by Louis Prisco, *Industrial Worker*, January 1989 and *Libertarian Labor Review*, Winter 1989.

⁴⁶ Foster, December 1998, op. cit.

⁴⁷ Marshall, Peter, *The Anarchist Writings of William Godwin*, London, Freedom Press, 1986, pages 136-139.

⁴⁸ “Are there too many people? - Population, Hunger, and Environmental Degradation”, by Chris Williams, *International Socialist Review*, January 2010.

⁴⁹ Marshall, op. cit., pages 136-139.

⁵⁰ Marx, Karl, *Grundrisse*, New York, Penguin Books, 1993, pages 605-6

⁵¹ Foster, December 1998, op. cit.

kilocalories per day, enough to make every person on the planet overweight. By 2030, with population growth continuing to decline and agricultural output predicted to rise, the UN forecasts enough food will be grown worldwide, despite a global estimated population of 8.3 billion, to give everyone 3050 kilocalories per day.⁵² That Malthus would make such an error is understandable, because he wrote his treatise four decades before the emergence of modern soil science in the work of Justus von Liebig and others which demonstrated that food production could be increased quite easily.⁵³ That others who know better would continue to champion such flawed theories is, however, inexplicable.

In spite of the fairly well established critiques of both Harden and Malthus, many Earth First!ers, including Dave Foreman, stubbornly refused to let go of them as foundation stones for their own ecological philosophy. Indeed, as their critics—particularly Bookchin—continued to point out the glaring weaknesses in Foreman, et. al.’s particular brand of Deep Ecology, Foreman and his fellows only grew more entrenched in their views, and as such Earth First! gained a rather disdainful reputation among traditional leftists. At times the bickering between the two radical tendencies even grew downright nasty, even to the point where Foreman and Bookchin routinely engaged in broadsides in print directed at each other. While Foreman may have had a point, that what everyone in the 1980s assumed to be “the left” (namely Soviet and Chinese “Communism”) left a great deal to be desired on ecological grounds, Bookchin, et. al., were no less right to challenge Foreman on the reactionary turkeys he had hung around his own movement’s neck, and there was good reason to do so. Instead of providing a way forward out of the morass of destructiveness wrought by western capitalism and eastern “communism”, these philosophically reactionary underpinnings led Earth First! down the path of misanthropy.

Such misanthropic underpinnings—coupled with their right-”libertarian” political origins thoroughly explain some of the highly controversial stances taken by Dave Foreman and Ed Abbey who were considered by many to be Earth First!’s principal spokesmen. Both Foreman and Abbey had issued highly controversial public statements not only calling for limiting immigration to the United States, but had gone as far as to suggest that the nation’s southern border should be *closed* and patrolled by armed military forces. Humboldt State University Professor Bill Devall, himself an Earth First!er, interviewed Dave Foreman for *Simple Life*, wherein Foreman said, “Letting the USA be an overflow valve for problems in Latin America is not solving a thing. It’s just putting more pressure on the resources we have in the USA,” a statement he later claimed to regret.⁵⁴ However, he made similar pronouncements a year later in the *Earth First! Journal*.⁵⁵

⁵² Williams, January 2010, op. cit.

⁵³ Foster, December 1998, op. cit.

⁵⁴ Chase, op. cit., page 108.

⁵⁵ “Is Sanctuary the Answer?”, by Dave Foreman, *Earth First! Journal*, Samhain / November 1, 1987.

Ed Abbey went a step further, cosigning a document titled, *An Open Letter to Congress*, subtitled *Our Borders are Out of Control*. The text of the letter began:

“Hundreds of thousands of illegal immigrants and billions of dollars of narcotics are being smuggled into the United States. While these are two distinct problems, they have a common denominator—an open border. At a time when millions of Americans are in poverty and drug use has reached epidemic levels, we cannot continue to wink at wholesale violation of U.S. sovereignty.”⁵⁶

The signers included several union representatives, police agencies, Ed Abbey and—of all people—conservative one-time Washington state governor, Dixie Lee Ray, whose positions on the environment were about as diametrically *opposed* to those of most Earth Firsters as one could get.⁵⁷ The sheer irony in such positions is that supposedly under the logic of Deep Ecology, nature shouldn’t recognize national sovereignty, particularly *human created* boundaries!

Foreman also uttered rather unfortunate statements about famine stricken Ethiopians in the *Simple Life* interview, specifically:

“The worst thing we could do in Ethiopia was to give aid—the best thing would be to just let nature seek its own balance, to let people there just starve. . . the alternative is that you go in and save these half-dead children who will never live a whole life. Their development will be stunted. And what’s going to happen in ten years’ time is that twice as many people will suffer and die.”⁵⁸

While Foreman claimed that these words were often quoted out of context—and certainly this is possible—even in their entirety, they come across as racist and insensitive. Such statements were hardly scientific in any case, even in a deep ecology sense. Humans are part of nature, so one could argue that providing aid to starving Ethiopians is nature’s way of being “bountiful” as easily one could argue that allowing them to starve was Malthusian regulation of the population. Given the level of western colonialism that still very much exists in the so-called “third world”, the starvation of Ethiopians had as much to do with *class stratification* within the Ethiopian society as any “natural” process. There were and are far more convincing arguments against overpopulation, even class conscious arguments, but Foreman’s statement, even if taken out of context only served to isolate Earth First! from potential supporters.

More controversial still, were the dismissive attitudes of these same prominent spokespeople towards timber workers themselves. For example, Dave Foreman was quoted as saying, in 1991 in a well publicized debate with Murray Bookchin:

⁵⁶ “Ashes and Diamonds”, by Alexander Cockburn, *Anderson Valley Advertiser*, March 22, 1990.

⁵⁷ Cockburn, March 22, 1990, op. cit.

⁵⁸ Chase, op. cit., page 108.

One of my biggest complaints about the workers up in the Pacific Northwest is that most of them aren't 'class conscious.' That's a big problem...The loggers are victims of an unjust economic system, yes, but that should not absolve them for everything they do...Indeed, sometimes it is the hardy swain, the sturdy yeoman from the bumpkin proletariat so celebrated in Wobbly (sic) lore who holds the most violent and destructive attitudes towards the natural world (and toward those who would defend it).⁵⁹

While this may have been true in some cases, there was absolutely no proof that this was *universally* true, nor was it necessarily *usually* true. There were many timber workers who didn't fit this stereotype. For example, in the words of Mendocino gyppo operator Walter Smith:

"We have a feeling for the place we work. We have a feeling for the land and the forest as a whole—as a place where we like to work because it is enjoyable to be there, because it is the forest. And in the hopes what our children will be back there doing the same work someday...On the other hand, there are ramifications we have no control over—the land owner. The landowner owns it, and he tells us how he wants it done. Of course, we have the option of not doing it. Then it becomes an option of economics: Do we want to work or do we not want to work?

"We can't influence (Louisiana-Pacific) at this time. We're just ants on a big ant hill. We can give them our opinion, but that doesn't really go very far. And as a matter of fact, a lot of times our opinion is held back because they do hold the strings. Not just L-P, all the timber companies. If you want to work, if you want to even sell the timber—we could get a job with a private land owner, say someone who wanted to do some tree thinning and a little forestry and we like the job and went to do it. If we're on the shit list, that person isn't going to be able to sell their logs if they know that we're working for them. The timber industry can come down on people...

"We complain sometimes about the fact that we don't think the best job is being done, but we do it anyway and we try to do it as well as we can under the Forest Practice Rules that are in place at the present time...I think that a lot people often see loggers as being pretty heartless, go-getting people. They're really hard working, that's for sure. And I find that when it comes to wildlife, loggers will go out of their way to protect or avoid hurting forest animals. I don't know too many loggers who would squash a squirrel on purpose or squash a fawn..."⁶⁰

⁵⁹ Chase, op. cit., pp 80-85.

⁶⁰ "Kenneth O. Smith and Walter Smith: Gyppo Partners, Pacific Coast Timber Harvesting", Interviewed by Beth Bosk, *New Settler Interview*, Issue #21, June 1987.

The irony in Foreman's and Abbey's stances was that they did not actually speak for the Earth First! The vast majority of them, including cofounder Mike Roselle, often disagreed, either in part or altogether, with Foreman's and Abbey's perspectives, and many were vocal in their opposition within the pages of the *Earth First! Journal* and elsewhere.⁶¹ Holding spokespeople accountable to the rest of Earth First! was somewhat difficult however, because from the start it was agreed by its founders that Earth First! would have little or no structure. As Edward Abbey once described it:

"Earth First! is not an organization. It doesn't have a president, a vice president, or even a secretary. It doesn't have any officers *at all*. It doesn't have a headquarters or a hindquarters. Who's their leader? It doesn't have a leader. We're *all* leaders, and there's thousands of us running around loose!"⁶²

It was common to hear many Earth First!ers declare that it was "a movement, not an organization."⁶³ As such, local Earth First! groups often took on their own, individual character, but—in spite of the apparent lack of cohesion—Earth First! also *did* manage to organize itself into a seemingly unified whole. Earth First! grew rapidly, just as the IWW did over a half century earlier. In fact, in the 1980s, in the United States of America at least, Earth First! was one of the most vibrant, fastest growing radical movements in existence.⁶⁴

Whatever their intent, or the roots of their founders, Earth First! typically found itself struggling most against multinational corporations anyway, simply because they were the biggest polluters. Earth First!, was in practice unrepentantly anti-capitalist when capitalist interests directly threatened wilderness biodiversity. This was particularly true in the case of government sanctioned livestock grazing (by private interests) on public lands.⁶⁵ Earth First! first sounded the alarm (outside of the indigenous movements in Brazil) about the destruction of the tropical rainforests in order to provide vast acreages of cheap grazing land so that US based fast-food corporations could produce cheap hamburgers. Naturally this meant that Earth First! had to confront large fast food corporations, particularly Burger King.⁶⁶ In the course of their strug-

⁶¹ "Talkin' Earth First!: an interview with Mike Roselle", by Alexander Cockburn, *Anderson Valley Advertiser*, July 4, 1990.

⁶² "Who Bombed Judi Bari", film by Darryl Cherney and Mary Liz Thompson, 2012.

⁶³ "No EF! Split Here, Rusty", by "Annie", *Anderson Valley Advertiser*, November 21, 1990.

⁶⁴ Devall, op. cit.

⁶⁵ Detailed in "EF! Plans Day of Outrage Against Welfare", by Mike Stabler, *Earth First! Journal*, Lughnasadh (August 1), 1988.

⁶⁶ For example, see "Rainforest Burgers", by Mike Roselle, *Earth First! Journal*, Samhain, (November 1), 1983; "Burger King Protest Set", by Mike Roselle, *Earth First! Journal*, Eostar (March 20), 1984; "Earth First! Protests Rainforest Burgers, by Mike Roselle (ref) and "Burger King Protested for Rainforest Destruction", *Earth First! Journal*, Litha (June 20), 1984; and "Your Taxes Destroy Rainforests; Development Agencies Finance Conversion of rainforests to Hamburgers", by Greg Marskell, *Earth First! Journal*, Samhain (November 1), 1984.

gles, Earth First!ers, including even Dave Foreman, *did* adopt some pro-worker stances against specific corporations with which it struggled against on ecological grounds, not so much out of a sense of solidarity—though this was evident also—but in recognition of the interrelatedness of their adversaries’ enemies. For example, one proposal by Earth First! to reform the USFS included the demands such as “preference to worker-owned timber companies for bidding on federal timber”; “Require all companies operating on public lands to be labor intensive”; and “A prohibition on the export of raw logs”.⁶⁷ Anticipating “just transition”, Local Earth First! groups would even call for reparations for displaced timber workers through the creation of wilderness restoration jobs.⁶⁸

* * * * *

At the time of the regime change at Pacific Lumber, no Earth First! group had yet formed in southern Humboldt County. The process for establishing Earth First! contacts was somewhat ad hoc. Earth First!ers would organize road shows, travel to various locations, principally those where ecological battles were being fought, and give presentations that included information, both spoken and visual (often in the form of slide shows) and sometimes spoken word or live music. Through these efforts, various Earth First! groups had been established throughout northwestern California. Already many of them had participated in ecological campaigns, including the coalition against L-P’s Garlon spraying in Mendocino County, the fight to preserve and expand the Sinkyone Wilderness, and against the bulldozing of a road from Gasquet (in Del Norte County) to Orleans (in northeastern Humboldt County) through Yurok Indian land threatening forestlands located near there. The nearest Earth First! groups were in Ukiah to the south in Mendocino County, and in Arcata to the north. The Arcata group had been established the previous year, after Mike Roselle had made a stop there on one of the road shows, and Bill Devall was the principle contact, but the group was already mostly defunct.⁶⁹ The campaigns that had involved the existing Earth First! groups were largely winding down or in a lull, and neither the Ukiah nor the Arcata Earth First! group seemed eager to take on the fight to stop Maxxam, in part because Earth First! focused primarily on defending public wilderness lands and P-L was “private property”.⁷⁰ Fortunately, Earth First! was about to receive an infusion energy from two eager young newcomers named Greg King and Darryl Cherney.

Greg King originally hailed from Guerneville in Sonoma County, though he had roots in Humboldt County. The King Range wilderness area was named after his ancestors who had settled in northern California several generations previously, and

⁶⁷ “Reforming the Freddies”, *Earth First! Journal*, Litha / June 21, 1983.

⁶⁸ “Wilderness Jobs”, Northeast Oregon Earth First!, *Earth First! Journal*, Samhain / November 1, 1983.

⁶⁹ “Earth First! in Humboldt”, *Country Activist*, May 1985.

⁷⁰ “Infamous Troubadour: The Life, Times, and Future of Darryl Cherney”, by Bob Doran, *North Coast Journal Weekly*, February 17, 2005.

were—ironically enough—some of the earliest loggers in the region.⁷¹ King, himself, was an investigative reporter who had joined in the environmental movement in response to Louisiana-Pacific’s timber harvest practices in Sonoma County along the Russian River. According to King, he caught L-P in the act of violating several of the state’s forestry laws in its harvest of second growth redwoods there, but the CDF had chosen to ignore the rules in favor of the corporation, in spite of public protests over the transgressions. Two of the violations were environmentally related, whereas the third was a violation of property laws, in which L-P had neglected to notify three of the 20 landowners adjacent to and within 300 feet of the logging site. King wrote and published twenty articles about the issue and received the Lincoln Steffens award for Investigative Journalism awarded by the Sonoma County Press Club and Sonoma State University. King later got involved in the campaign to save Sally Bell Grove in the Sinkyone against Georgia-Pacific’s clearcutting. He recalled:

“I was so amazed and horrified at what I saw, I decided the area up here could use a lot more work ecologically. If that is what was being allowed to happen to the virgin redwood forests up here, I just couldn’t be hanging out in Sonoma County and still trying to work on the issues up here.”⁷²

True to his word, he moved to southern Humboldt County and continued to work as a freelance journalist, submitting ecologically oriented articles to various publications, including *The Nation*.⁷³

Meanwhile, Darryl Cherney, a former English teacher and child actor with a penchant for songwriting and an interest in ecological issues himself, arrived in California just about the same time that Maxxam raided Pacific Lumber.⁷⁴ Cherney was born in New York City in 1956.⁷⁵ At age five, while riding his tricycle around West 57th Street, he had the good fortune to be “discovered” by Tony Schwartz, the famous television producer who produced the infamous anti Barry Goldwater “Daisy” commercial for the Lyndon Johnson presidential campaign.⁷⁶ At age six, Cherney began playing music and his talent developed quickly. Between the ages of six and eleven, Cherney starred in three dozen TV, radio, and voice-over commercial pitches for various products, including Ivory Snow, Upjohn Unicap chewables, High Grade Baloney, Hunts Catsup, and Bosco Chocolate Syrup (“the art of making Bosco”). After that, he went on to earn a

⁷¹ “Pacific Lumber Company Letter Went too Far”, Guest Opinion by Greg King, *Eureka Times-Standard*, April 16, 1987.

⁷² “Civil Disobedience: His Key to Survival”, by Enoch Ibarra, *Humboldt Beacon and Fortuna Advance*, May 13, 1987.

⁷³ Ibarra, May 13, 1987, op. cit..

⁷⁴ “Earth First! and COINTELPRO”, by Leslie Hemstreet, *Z Magazine*, July/August 1990.

⁷⁵ “Darryl Cherney: a Conversation with a Remarkable Candidate”, by Michael Koepf, *Anderson Valley Advertiser*, (in two parts) April 27 and May 4, 1988.

⁷⁶ “Infamous Troubadour: The Life, Times, and Future of Darryl Cherney”, by Bob Doran, *North Coast Journal Weekly*, February 17, 2005.

BA in English and a Master's Degree in Urban Education, both from Fordham University. In 1982, while traveling on the West Coast, Cherney walked among the ancient trees of Humboldt Redwoods State Park and knew he wanted to relocate to California permanently.⁷⁷

In October of 1985, Cherney headed west to stay.⁷⁸ On his way south from Oregon, Cherney stopped to pick up a Cheyenne Indian hitchhiker named Kingfisher. Cherney explained that he desired to live off of the land, and Kingfisher responded by admonishing Cherney to settle in Garberville, California, in southern Humboldt County, which Cherney did. Kingfisher had practically guided Cherney straight to the doors of EPIC in Garberville, who were deeply involved in the fight to save the Sinkyone wilderness area from the chainsaws and axes of Georgia-Pacific.⁷⁹ He managed to make a marginal living as a caretaker and building manager at the old Bridgewood Motel in nearby Piercy.⁸⁰ In exchange, he was able to live there rent free and earn a very small sum of money for basic needs.⁸¹ Cherney quickly involved himself in Redwood forest issues, the fight to save Big Mountain, and Central American Solidarity work. When Cherney heard of the Maxxam takeover, he was initially surprised that cutting old growth redwoods wasn't illegal altogether, and felt that a strong community response was needed.⁸² He had never heard of Earth First! before he saw a sticker on the door of the EPIC office showing a clenched fist Earth First! logo.⁸³ He asked around and learned of the contacts in Ukiah and Arcata, but that neither group was especially active at the time.⁸⁴ Cherney met Greg King in the course of an action to save Sally Bell Grove during the Sinkyone campaign, and the two had become good friends.⁸⁵

The two made an effective team. King was adept at dissecting THPs as well as a skilled reporter, but he was at heart most at home walking deep in the forest, much like Henry David Thoreau. Cherney, on the other hand, was—much like his singer-songwriter persona—very much drawn to the media spotlight. Both agreed that something needed to be done in response to the Maxxam takeover of P-L.⁸⁶ Cherney took on the leadership role immediately and appealed to local activists to stand up and be counted, even though sometimes—with all of the crises affecting the environment locally and worldwide that “sometimes we might feel like (Hans Brinker) putting his finger in the leaking dyke, only to find two new holes (had) appeared.”⁸⁷ In due

⁷⁷ Koepf, April 27 and May 4, 1988, op. cit.

⁷⁸ Hemstreet, op. cit.

⁷⁹ Koepf, April 27 and May 4, 1988, op. cit.

⁸⁰ Harris, op. cit., page 162.

⁸¹ Koepf, April 27 and May 4, 1988, op. cit.

⁸² Hemstreet, op. cit.

⁸³ According to Darryl Cherney, the logo is actually a self portrait of the right-handed Mike Roselle's left hand.

⁸⁴ Doran, February 17, 2005, op. cit.

⁸⁵ Hemstreet, op. cit.

⁸⁶ Harris, op. cit., page 162.

⁸⁷ “Rainforest Day”, by Darryl Cherney, *Country Activist*, October 1986.

time, King and Cherney decided to call an Earth First! meeting in southern Humboldt County, and announce the formation of their new group, the “Redwood Action Team” (otherwise known as Southern Humboldt Earth First!). They were soon joined by others interested in stopping this new threat to the already devastated old growth forests of northwestern California, including EPIC, Greenpeace, the Humboldt Greens, the local chapter of the Sierra Club, and the socialist leaning Peace and Freedom Party.⁸⁸ The new group quickly became adept at utilizing the local and vibrant community and environmental press in both Humboldt and Mendocino Counties, including the *Anderson Valley Advertiser*, *Country Activist*, *EcoNews*, *Mendocino Commentary*, and *Mendocino Country*.

In spite of the urgency, the new Earth First! group didn’t immediately rush into battle against Maxxam, because they were relatively unknown. Their first demonstration consisted of rally, held in August 1986 (less than a year after Maxxam’s takeover of Pacific Lumber) in the safe and relatively friendly confines of Arcata Plaza against the World Bank and the latter’s policy of financing the liquidation of old growth forests around the planet. The destruction of the *tropical* rainforests—included in the broader description of ancient woods—was recognizable to a much larger audience, and that target served to draw people’s attention to the depletion of *temperate* old growth much closer to home. In contrast with Foreman, Cherney established from the get-go that this Earth First! group would be sympathetic to the plight of the timber workers, declaring:

“With this entire region being logged out at an alarming rate, the timber companies will be looking to foreign countries more and more. Loggers here will be out of work quickly unless they want to work as cheaply as in Indonesia. Local companies must become interested in sustained yield, which also translates into sustaining jobs for northern California.”⁸⁹

Shortly following their debut, at the California Earth First! rendezvous in Big Basin Redwoods State Park in the Santa Cruz Mountains, the Redwood Action Team announced their next demonstration, specifically targeting Maxxam to immediately follow the gathering.⁹⁰

Earth First! organized a public protest against the corporation on October 22, 1986 in San Francisco at the PALCO corporate offices at Sansome and Washington Streets. Since Cherney and King were relatively unknown, the two lined up Earth First! co-founder Dave Foreman (from Arizona) and none other than David Brower (from the San Francisco Bay Area) as keynote speakers. The protesters called for an international boycott of all redwood products until old growth logging was banned. After a rousing speech given by Foreman, in which he declared, “What right do we have to

⁸⁸ Doran, February 17, 2005, op. cit.

⁸⁹ “Earth First! Rendezvous”, *EcoNews*, October 1986.

⁹⁰ *EcoNews*, October 1986, op. cit.

think we can make a buck by cutting down 1,000-year-old-trees to make picnic tables and planter boxes for yuppies on their patios?" the 70 assembled demonstrators let out the signature Earth First! coyote howl.⁹¹ Then, Brower came right to the point, opining:

"For many years, Pacific [Lumber] was the best lumber company in the business, managing its lands on a sustained-yield basis, (but with the vastly accelerated cutting rate under the new regime, Pacific Lumber will be) stealing natural resources from future generations adding instability to the North Coast."⁹²

This initial environmentalist protest against Maxxam would be followed by hundreds more over the coming quarter century. Right from the start, however, P-L management had anticipated the demonstration and had closed the offices for the day. Maxxam issued a statement in response to the event declaring, "Pacific Lumber Co. has adhered strictly to a policy of responsible forestry...for over 100 years and...remains firmly committed that policy," never once admitting that the increased timber harvests were contradictory to the Murphys' old logging methods, a point hammered home by Foreman and the other speakers.⁹³ The P-L executives, mostly getting ready to close the San Francisco office for good and move their operations south to the MCO offices in Los Angeles scoffed and pondered what sort of reaction the activists would receive in Scotia.⁹⁴

Suspecting that the company's official statement was a lie, in early November, 1986, a small group of Earth First!ers led by Greg King, risking arrest for trespassing on private property, hiked into the woods of Pacific Lumber for a firsthand look at the threatened redwood stands. They had been motivated to such action by news of a new logging road into the forest sited by a sympathetic pilot.⁹⁵ While in the forest, they could easily see the contrast between forests once logged by company under the previous ownership, which were decidedly logged yet spaced every twenty to forty feet were "small" old-growth trees left to regenerate the forest. King said, "Although the tract looked logged, it also looked like a viable forest. In today's world of Nazi logging, the old Pacific Lumber was a gem."⁹⁶ Passing through an area being clearcut, they came to a large, more than 3,000 acre stand of untouched roadless virgin forest at the highest point Little South Fork of the Elk River and Salmon Creek that had been rumored to exist. Due to its relatively large size, the 96 percent elimination of

⁹¹ "Logging Increase Prompts Boycott by Earth First!", *EcoNews*, November 1986.

⁹² "Redwoods Cutting Plan Provokes a Protest", by Dale Champion, *San Francisco Chronicle*, October 23, 1986.

⁹³ Champion, October 23, 1986, op. cit.

⁹⁴ Harris, op. cit., page 162.

⁹⁵ "Campaign For Loggers", *EcoNews*, January 1987.

⁹⁶ "Trespass Into Paradise", by Greg King, *Country Activist*, December 1986.

the original redwood biome, and the absence of similar redwood groves within a 25-mile radius, it was quickly identified as one of the world's most important biological remnants.⁹⁷ Another local Earth Firster, Larry Evans, named it "Headwaters Forest", because of its location.⁹⁸ Greg King described Headwaters thusly:

"Walking across a landing at least a half-acre in size, we slowly approached what I knew then to be a legendary forest: steep, classic California coastal ridges, flowing for miles into the far distance, divided by year-round pure water streams, and choked with huge redwood trees that sprouted before Christ's birth. This particular area was approximately (3,000) acres—never logged, rarely even walked upon, one of as many five such tracts owned by Pacific Lumber that may not exist (except as wasteland) in five years.

"They were grand, these free-flowing trees, huge dancing branches in the wind. I absorbed their peace, their energy, their life that supports so many wild animals, including a few humans. I stood, stared, breathed deeply, and felt their power. I was unabashedly awed. Yet concurrently I felt tragic, forlorn, as if embracing a friend, a lover, moments before what I know will be her brutal torture, rape, and destruction."⁹⁹

King and his companions were soon discovered by Pacific Lumber forest manager Robert Stephens and Carl Anderson, the P-L security chief who was, "the size of a refrigerator". Stephens asked the visitors what they were doing.

"Hiking" responded the Earth Firsters, to which Stephens responded,

"(How would you like it if I were) walking through *your* front yard?" (as if Stephens *himself* lived in and personally owned Headwaters forest). King and his companions were warned against further trespassing and then escorted out of the forest.¹⁰⁰ They perceived, however, that in order to monitor what they assumed would be an ever increasing onslaught, they could not honor Stephens' admonishment. Their reasoning was certainly justifiable on environmental grounds. Headwaters Forest and five other nearby smaller but similarly diverse old growth groves now threatened by Maxxam's accelerated clearcutting represented a crucial habitat island at the midpoint between Redwood National park to the north and Humboldt Redwoods State Park to the south some 80 miles apart. Preserving this newly identified ecological gem in the middle of both was perhaps critical to the long term survival of old growth redwood forests *at all*. To make sacred the notion of "private property", a concept and status that was literally unknown, save for a mere fraction of this forest's lifetime, was, in their eyes, tantamount to ecological suicide, or perhaps even genocide.¹⁰¹

⁹⁷ "The Groves of Maxxam", by Greg King, *Country Activist*, September 1989 and *Earth First! Journal*, Mabon / September 22, 1989.

⁹⁸ "Earth First! Press Release", by Greg King, *Mendocino Commentary*, June 4, 1987.

⁹⁹ King, December 1986, op. cit..

¹⁰⁰ King, December 1986, op. cit..

¹⁰¹ King, August 1, 1987, op. cit.

Earth First! wasted no time in responding. The next demonstration against Maxxam took place in Arcata at the town's central plaza on November 25.¹⁰² Other participants included members of the local chapter of the International Indian Treaty Council, who were appreciative of Earth First!'s opposition to the G-O Road.¹⁰³ This time, Cherney and King were the keynote speakers, and again, the similarly sized crowd of demonstrators howled enthusiastically in response to them. As some had done in San Francisco, a handful of skeptics pooh-poohed the event, perhaps thinking, "Arcata doesn't count. This college town has fifteen different places to buy tofu. The meat-and-potatoes part of the county is where it all really matters." Nowhere was that sentiment displayed more than among the staff of the *Humboldt Beacon and Fortuna Advance*, a publication which routinely ran paid advertisements from L-P, P-L, and Simpson, and whose editorial positions were, for the most part on the far right of the political spectrum. They explained to Darryl Cherney—who questioned the workers' absence in Arcata—that only if Earth First! had the cajones to march into Scotia itself, would they bother to show. Darryl responded that the newspaper wouldn't be disappointed.¹⁰⁴

Sure enough, Earth First! mobilized a third time on December 3, though this time they did so under the name of "Save the Loggers' League". Cherney had chosen this name because, in his words, "No matter how active the environmentalists become, the key to success on the Maxxam issue rests with the woodworkers. If they don't believe they need help there's little anyone can do for them."¹⁰⁵ In anticipation of the event, Darryl Cherney had created a newsletter with the same name. The publication was sent, by mass mailing, to post office boxes in towns with heavy woodworker populations, including Scotia and Carlotta. It included an appeal to fight Maxxam in order to protect the workers' jobs, a story about the return of Paul Bunyan—who could find no more trees to cut, a description of the Maxxam corporate structure, quotes from timber workers as well as Maxxam themselves revealing the latter's crassness, and a humorous description of the endangered species known as "The Scotia Logger", (Latin name *Sequoius Devourus Beerdrinkusi*); the benevolent former owner, the "Woody Murphy" (Latin name *Hometownus Sustainus Murpholi*); an outside predator, the "Greenbacked Hurwitz" (Latin name *Treeranosaurus Maxxamus Profitus*); and the strange long-haired, tree-loving creature known as the "Humboldt Hippie" (Latin name *Environmentallus Hippius Freakus*), who was actually the friend of the Scotia Logger even if the latter didn't realize it yet.¹⁰⁶ The newsletter even included the following statement from IWA Local 3-469 representative Don Nelson:

¹⁰² "Scotia Rally Protests P-L Harvest Plan", by Gina Bentzley, *Eureka Times-Standard*, December 4, 1986.

¹⁰³ "Earth First! Emerging", by Darryl Cherney, *Mendocino Commentary*, January 22, 1987 and *Country Activist*, February 1987.

¹⁰⁴ Harris, op. cit., pages 167-68.

¹⁰⁵ "Timber Barons Challenged by Mass Mailing", press release, *Mendocino Commentary*, April 2, 1987.

¹⁰⁶ *Save the Loggers League Bulletin*, Winter 1986-87. Only one issue was ever produced.

“The greatest manmade disaster ever to befall the redwood forests of Northern California is occurring today with the sale and profit taking at Pacific Lumber Company...The last remaining Redwood Region company town will soon be a thing of the past, a subdivision will likely replace it, The economy of Humboldt County will boom for a few short years while the overcut is occurring but then the fall that will come will be worse than we’ve ever seen before. People will be jobless, tax bases will disappear, (and) the North Coast economy will founder...

The federal and state governments must take immediate action to control timber harvesting by the redwood companies at a level that will be sustainable over the long term now while there is still timber available to harvest. You must act now to prevent the clearcut, break-up, and destruction of the finest single timber property in Northern California.

The people’s right of eminent domain must be asserted to prevent the destruction of the economy of Humboldt County and Northern California. The stability of the economy of Northern California redwood region depends on timber being available to harvest each year. The former Pacific Lumber Company owners dedicated their lands to sustained production of high quality forest products. Now the lid is off. The race is on the cut as much of their redwood timber as can be harvested. A production cycle such as we have never seen in this area is beginning. When the boom is over, the redwood lumber industry will be a fragment of history.”¹⁰⁷

Darryl Cherney had stressed that the activists would frame their message carefully:

“We will not be venting anger towards the woodworkers...ultimately we are all environmentalists, with varying standards. Loggers want and need forests too. We want to bridge the gap now that we have something in common: a fear that Maxxam is going to sell Humboldt County down the road.”¹⁰⁸

True to their word, approximately 70 marchers carried banners, chanted, prayed, and sang songs written by Darryl Cherney, with a deliberately chosen pro-timber theme, marching into the heart of Scotia itself. They issued a list of demands to the company which included a return to sustained yield policy and a halt to the cutting of old growth redwood trees, pledging that if these demands were not met, they would continue their call for an international boycott of redwood products. They

¹⁰⁷ “Man Made Disaster”, letter to the editor by Don Nelson, *Humboldt Beacon and Fortuna Advance*, August 9, 1986.

¹⁰⁸ “Earth First! to Protest Maxxam Timber Policies”, Earth First! press release, *Mendocino Commentary*, December 4, 1986.

also passed out many copies of the STLL newsletter.¹⁰⁹ Mike Roselle, who joined the marchers, noted the significance of the efforts to reach out to the affected timber workers, declaring, “Before companies were the ones holding demonstrations and crying ‘Save our Jobs’. Now it’s the conservationists saying ‘save our jobs’.”¹¹⁰ The marchers circled the mill and ended with a Native American prayer.¹¹¹ There were reportedly no counter demonstrators to contradict Roselle’s optimistic assessment, though in most estimates the few workers who weren’t busy slaving away at their mandatory sixty-hour workweeks regarded the mostly “hippie” looking protesters with curiosity above all else.¹¹²

The press spin on the “Save the Loggers League” message was varied, however. The *McNeil Lehrer News Hour* devoted fifteen minutes to the event, including coverage of Darryl Cherney performing his pro timber-worker anthem, *Where Are We Gonna Work When the Trees are Gone*, in spite of an acute case of laryngitis.¹¹³ *Eureka Times-Standard* reporter Gina Bentzley *did* quote maintenance worker Fred Elliot, but the latter repeated a standard Corporate Timber talking point, that there were more trees preserved in parks than one could see in a lifetime, which missed the point of Earth First!’s message entirely.¹¹⁴ Elliot’s perspective was no doubt influenced by a leaflet published preemptively by P-L management warning the workers and residents of an invasion of “eco-terrorists”. On the other hand, *EcoNews* noted that the response from many Scotians was “varied”, but quoted some anonymous workers who viewed the demonstration favorably, noting that many even flashed “thumbs-up” gestures. One resident declared, “I used to work for the company, but got a job in Arcata so I could get a better feel for a secure future.” Another resident, still employed at P-L stated, “You know everybody in town is thinking pretty much the same thing, but no one will organize together, let alone go public. We’re sure our days are numbered.”¹¹⁵

As the new year began, the Earth First!ers immediately stepped up their efforts. On January 1, 1987 Greg King mailed out dozens of letters to federal and state officials, environmental organizations, and even a few timber industry heads urging them to meet with Earth First! and negotiate a solution to the problem presented by Maxxam’s accelerated harvest. “Otherwise this will be a battle with years of litigation and civil disobedience,” the activist declared.¹¹⁶ Much to everyone’s surprise, P-L president John Campbell answered King’s letter and arranged to meet with his adversary in Scotia. The meeting, which lasted less than an hour, accomplished little more than reinforce

¹⁰⁹ “Campaign For Loggers”, *EcoNews*, January 1987.

¹¹⁰ Bentzley, December 4, 1986, op. cit.

¹¹¹ *EcoNews*, January 1987, op. cit.

¹¹² Harris, op. cit., pages 167-68.

¹¹³ Harris, op. cit., pages 168.

¹¹⁴ Bentzley, December 4, 1986, op. cit.

¹¹⁵ *EcoNews*, January 1987, op. cit.

¹¹⁶ “Humboldt Battle Over Cutting Old Redwoods”, by George Snyder, *San Francisco Chronicle*, January 5, 1987.

to both sides that the other would not budge without a fight. Campbell declared that King was at best naïve, and at worst a threat to the long term livelihoods of the timber workers under P-L's employ. By contrast, King perceived Campbell to be condescending and dismissive of the longer term consequences of Maxxam's accelerated timber cut. The encounter concluded with Campbell curtly declaring the meeting had ended.¹¹⁷

* * * * *

Meanwhile, EPIC—whose acronym accurately spelled out the struggle that was about to ensue—led the environmentalists' *legal* fights against Maxxam. In fact, there was no legal nonprofit better equipped and more dedicated to fighting such a war, and they were more than prepared to do so, having established their reputation through EPIC vs. Johnson. Although "Woods" Sutherland and Cecilia Gregori, along with many other EPIC members and volunteers, had attended the initial Earth First! meetings, for strategic purposes, although they often worked alongside of and in concert with Earth First!, they kept their legal game plan independent of the latter.¹¹⁸

Environmentalists of all stripes were convinced that the CDF had been dragging its feet on complying with the ruling. So far, the CDF hadn't done much beyond adding a list of questions with a yes or no check-off box to the THP submission forms.¹¹⁹ Pacific Lumber had filed an unprecedented number of THPs since the Maxxam takeover but there was no indication whatsoever that the CDF was considering the cumulative impact of the logging proposed therein, especially on old growth dependent species, such as the tailed frog, Olympic salamander, and the Northern spotted owl, any more than they had done in any past harvest plans.¹²⁰ Since the beginning of 1987, P-L had inserted a disclaimer into its THP applications which read, "Transition from old-growth to young-growth provides beneficial environmental effects (1) Increased wildlife habitat and carrying capacity. (2) Increased wildlife species diversification..." and the CDF foresters seemed content with this explanation. Ross Johnson (the "Johnson" mentioned in EPIC vs. Johnson), did concede that the CDF had its hands full, but he also revealed that his considerations were primarily economic, namely Corporate Timber's bottom line.

"We know we're going to be getting a lot of heat this year over old-growth cutting. The state is committed to balancing the needs of timberland owners with the needs of the environment. To a forester, old-growth trees don't produce. People who manage forests in an industrial sense want trees that are growing in order to produce a continuing crop, so they cut the old trees.

¹¹⁷ Harris, op. cit., pages 170-72.

¹¹⁸ Harris, op. cit., pages 183.

¹¹⁹ "EPIC Fights Old-Growth Clearcuts", by Andy Alm, *EcoNews*, March 1987.

¹²⁰ Harris, op. cit., page 180.

There's no doubt that (Pacific Lumber has) doubled the amount of timber they want to cut."¹²¹

Johnson's attempt to find "balance" between the short term needs of profit oriented capitalism and environmental considerations, and his labeling of old growth forest stands as "unproductive" betrayed his ignorance of the emerging scientific consensus that business as usual was detrimental to the long term health of the forests as well as the viability of a timber based economy. His words were not altogether different from those of David Galitz who declared, "We've been here for 118 years and we could be here for another 100."¹²²

EPIC wasted little time in taking on both Maxxam and the CDF. Their first legal success came in February 1987 after they challenged the CDF approved Pacific Lumber THP 1-87-50HUM which proposed clearcutting 144 acres of old growth forests, most of it redwoods at Elk Head Springs on the divide between Humboldt Bay and the Van Duzen River watershed. Citing EPIC vs. Johnson, "Woods" declared that the CDF failed to show that it had adequately assessed the cumulative impact of Maxxam's accelerated logging and that, "(CDF) should deny the THP and require a full environmental impact report." He also indicated that EPIC would file additional challenges and even a lawsuit if necessary if the CDF didn't comply with the letter and the spirit of the law, stating, "This is the first of a number of THPs we will be reviewing very closely."¹²³ EPIC stood by their guns, and after much critical public comment at the review team meetings, Pacific Lumber withdrew THP 1-87-50.¹²⁴ Although this was a victory, it was hardly earth shattering. A fellow Earth First!er, Mokai, reasoned that the THP withdrawals were less a result of any growing democratic control over the CDF than the CDF's actions as a willing legal advisor to Pacific Lumber, helping them redesign their THPs more effectively from a legal standpoint.¹²⁵ Still, it was an auspicious beginning.

* * * * *

Elsewhere, Bill Bertain resumed his "David versus Goliath" struggle against Maxxam's questionable stock trading that had facilitated the takeover of P-L in the first place. He had plenty of incentive to do so. In the summer of 1986, Drexel Burnham Lambert's Ivan Boesky had been implicated for insider trading. As a result, the Securities and Exchange Commission had begun conducting investigations of twelve companies that had engaged in transactions with DBL, including Maxxam, in its takeover efforts at Pacific Lumber.¹²⁶ On February 2, 1987, *Business Week*,

¹²¹ Snyder, January 5, 1987, op. cit.

¹²² Snyder, January 5, 1987, op. cit.

¹²³ Alm, March 1987, op. cit.

¹²⁴ "Maxxam-um Protests", *EcoNews*, June 1987.

¹²⁵ "Earth First! Press Release", by Greg King, *Mendocino Commentary*, June 4, 1987.

¹²⁶ "SEC Insider Probe Expands to Include Takeover of PL", *Eureka Times-Standard*, December 4, 1986.

published an article condemning Hurwitz as “an opportunist who borrows heavily to gain control of a company and then milks it of cash to finance his next raid.”¹²⁷ The next month local PBS television stations KQED in San Francisco and KEET in Eureka aired a half-hour documentary called “Takeover” which featured Earth Firsters and woodworkers—including John Maurer, who had quit the company in disgust by this time—condemning Maxxam’s acquisition of PL.¹²⁸

Maxxam had anticipated the negative press, however. In order to whitewash their image, they retained the P.R. firm of Hill and Knowlton (H&K) for just such an eventuality, which was ironic given the fact that the very same firm had originally been hired by the old P-L Board to craft press releases *against* Maxxam.¹²⁹ H&K’s efforts resulted in a three part front page series in the *Humboldt Beacon and Fortuna Advance*, written by Enoch Ibarra. The series was a collection of exaggerations and strawman arguments designed to make it look like Maxxam’s critics were predicting immediate economic ruin.¹³⁰

The first installment touted a study commissioned by Maxxam by the Oakland, California based consulting firm Hammon Jenson and Wallen which argued that P-L could continue at their current, increased harvest rate for another twenty years before returning to the harvest levels of the old Murphy-run Pacific Lumber. The article did cite concerns about sedimentation raised by the North Coast Environmental Center (NEC), but for the most part it attempted to paint environmentalists as pessimistic doomsayers, making irresponsible and unlikely predictions. At one point it stated, “(Andy) Alm (of the NEC) does concede that much of the concern on the environment is ‘speculative’” as if Alm, the NEC, and environmentalists in general were making numbers and predictions up out of thin air rather than careful, peer-reviewed science.¹³¹ This was an unfair dismissal. Environmentalists, including those at the NEC, could only use the best available figures they had available to them—since much of the data on private timber lands was proprietary—but what information they *did* have available to them was sufficient enough to make a conclusive case that all was not well with the health of the forest based on the loss of biodiversity.¹³²

The second installment ostensibly dispelled the “myth” that P-L’s overcutting would “hurt the economy of Humboldt County in the short run,” and challenged the KQED documentary *Takeover*. It also presented the supposedly astonishing revelation that Maxxam had retained all of the employee benefits from the old regime. Nobody was

¹²⁷ “A Takeover Artist Who’s Turning Redwoods Into Quick Cash; Charles Hurwitz’ Debt-laden Empire Sure Can Use It Now”, By James R. Norman, *Business Week*, February 2, 1987.

¹²⁸ “Maxxam Onslaught Continues”, by Darryl Cherney, *Country Activist*, March 1987.

¹²⁹ “Attempting to Change Pacific Lumber’s Image”, By Donald K White, *San Francisco Chronicle*, September 11, 1987.

¹³⁰ Cherney, March 1987, op. cit.. Hill & Knowlton manufactured support for Operation Desert Storm in 1991 by creating a false story about Iraqis murdering Kuwaiti babies in their incubators.

¹³¹ “Pacific Lumber Harvest Causes Concern”, by Enoch Ibarra, *Humboldt Beacon and Fortuna Advance*, January 27, 1987.

¹³² Foster, “Part 4 - Ecological Conflict and the Class Struggle”, op. cit.

arguing that any of these had (yet) disappeared, and it left unaddressed the arguments presented by Maxxam's critics was that there was no way for Hurwitz to guarantee the benefits' survival after twenty years if he maintained the current, increased timber harvest rate. The article also made the inadvertently damning admission (by the timber industry at any rate), using figures provided by the California State Employment Development Department, that the number of jobs in Humboldt County had already been reduced by two thirds, from 13,000 to 4,500 since the 1950s.¹³³ Since environmental activism against Pacific Lumber only dated to the previous year, blaming environmentalists for this job loss would be utterly ridiculous and the recitation of the figures, at best, were a non-sequitur.¹³⁴ The article restated P-L's arguments that their increased cutting—hence increased employment—were offsetting job losses by workers at the other companies, namely L-P and Simpson, thus helping the economy. Again, however, this only dealt with the immediate term, not the conditions that would exist after the twentieth year—a fact that Don Nelson was quoted in the article as pointing out. Finally, the article touted the 250 additional employees the company had hired since the Maxxam takeover¹³⁵, but didn't mention that many of them had been hired from other states.¹³⁶

The third piece was much like the other two, this time addressing the concerns, by Pacific Lumber workers mostly, that Maxxam would sell the houses in Scotia. Steve Hart, director of P-L employee relations had gone on record saying that the rent for the houses in Scotia which then stood at \$250 per month, would remain at that level for the foreseeable future.¹³⁷ P-L Public Affairs manager David Galitz responded to the claims that Maxxam would *sell* the houses in Scotia by declaring, "That we're going to sell off this community and (sic) one house at a time—that's absolutely asinine!"¹³⁸ Neither Ibarra, nor anyone else in the article cited any hard evidence that Hurwitz didn't have plans to do exactly that. Maxxam had liquidated many of P-L's non-timber assets elsewhere,¹³⁹ but interestingly Ibarra barely mentioned these, choosing to merely include a quote by Galitz explaining that the Public Affairs manager had orders by the Murphys to sell the San Mateo timber holdings and Sacramento valley farmlands *before* Maxxam's appearance on the scene.¹⁴⁰ The article only alluded to the others—in the *future tense*, as if liquidation of them *had not yet already happened*—and it certainly neglected to point out that the liquidation of non timber assets had substantially

¹³³ "PL Says it Will Improve Jobs, Economy: Increases in Production to 'Act as a Buffer?'" by Enoch Ibarra, *Humboldt Beacon and Fortuna Advance*, January 31, 1987.

¹³⁴ "Timber Outlook", by Bob Martel, *Country Activist*, June 1988.

¹³⁵ Ibarra, January 31, 1987, op. cit.

¹³⁶ King, December 1986, op. cit..

¹³⁷ King, December 1986, op. cit..

¹³⁸ "Sell Scotia Housing? 'Assinine!' (sic) – PL", by Enoch Ibarra, *Humboldt Beacon and Fortuna Advance*, February 3, 1987.

¹³⁹ "Maxxam: Ultimate Land Rapers", anonymous, *Country Activist*, June 1986.

¹⁴⁰ Ibarra, February 3, 1987, op. cit.

increased on Hurwitz's watch.¹⁴¹ Ibarra went on to document P-L's expansion before the Maxxam takeover—including the acquisition of 24,000 acres of timberland from L-P—as well as after, including the purchase of an L-P mill in Carlotta, as “evidence” that the workers' benefits wouldn't be liquidated.¹⁴²

Not content with this, Maxxam followed up with a prepared statement by Robert Stephens making numerous accusations towards Greg King that painted him as uncaring outsider with no real roots in the community, insensitive to the Pacific Lumber workers, and being uninformed about forestry or anything having to do with Pacific Lumber; the statement was published in the *Eureka Times-Standard* and the *Humboldt Beacon and Fortuna Advance* as a paid advertisement.¹⁴³ King had already gone on record calling for a dialog with the Pacific Lumber timber workers.¹⁴⁴ Yet, that didn't stop Stephens from making the absurd claim that King wanted to shut down Pacific Lumber altogether.¹⁴⁵

Greg King quickly responded to the *Times-Standard* refuting every one of Stephens' accusations.¹⁴⁶ King had been on record advocating that Pacific Lumber “return to harvesting 4,000 to 5,000 acres per year and to sustained yield.”¹⁴⁷ King not arguing against logging per se, but rather that the new pace was unsustainable:

“On March 17, following one of the season's heaviest rains, crews used tractors, which caused large expanses of mud to slide down hills into streams. Such massive degradations have gone unchecked by the California Department of Forestry (CDF). PALCO's seed tree removal cut is a de facto clearcut, taking old growth trees from tracts selectively logged within the past few years. PALCO is clearcutting its untouched stands. Sources close to PALCO say that large portions of the company's virgin redwood and Doug Fir stands may be sold to other North Coast timber giants—such as Louisiana Pacific, Simpson Timber, and Georgia-Pacific—inciting the elimination of these forests within a few years.”¹⁴⁸

As for job losses, King noted the possibility that the 250 or so new employees hired by P-L since the takeover might have to be laid off, but he called for taxpayer funded relief programs to assist them in finding new timber related jobs.¹⁴⁹ Darryl Cherney

¹⁴¹ “Maxxam: Ultimate Land Rapers”, anonymous, *Country Activist*, June 1986.

¹⁴² Ibarra, February 3, 1987, op. cit.

¹⁴³ “To Pacific Lumber Employees”, paid advertisement on P-L letterhead, published in the *Eureka Times-Standard*, March 18, 1987, and the *Humboldt Beacon and Fortuna Advance*, March 18, 1987.

¹⁴⁴ “Tree Controversy”, letter to the editor by Greg King, *Humboldt Beacon and Fortuna Advance*, January 10, 1987.

¹⁴⁵ “To Pacific Lumber Employees”, March 18, 1987 and March 18, 1987, op. cit.

¹⁴⁶ “Pacific Lumber Company Letter Went too Far”, Guest Opinion by Greg King, *Eureka Times-Standard*, April 16, 1987.

¹⁴⁷ Ibarra, May 13, 1987, op. cit..

¹⁴⁸ “Earth First! Press Release”, by Greg King, *Mendocino Commentary*, June 4, 1987.

¹⁴⁹ Ibarra, May 13, 1987, op. cit..

offered his own defense of Greg King in a letter to the *Humboldt Beacon and Fortuna Advance*, suggesting that Maxxam's statement was the pot calling the kettle black, that Hurwitz was the real outsider, and that conservationists were not opposed to logging, and wanted to see the old Pacific Lumber restored.¹⁵⁰

Maxxam's propaganda assault was no doubt also organized in anticipation of the opposition that would inevitably arise in response to the corporation's plans to log the untouched old growth stands, including Headwaters Forest. Sure enough, in the spring Maxxam filed THPs 1-87-230, 240, and 241HUM with the California Department of Forestry. THP 230 proposed a clearcut of 111 acres of the last virgin forest on the Mattole River on Sulphur Creek, a stream that was undergoing extensive restoration due to past clearcutting. THPs 240 and 241 called for the harvesting of 265 acres from Headwaters Forest. As they had before, the CDF approved them without question.¹⁵¹ This drew a quick response from Earth First and another lawsuit from EPIC.

EPIC was not alone in this case. They were joined by a group calling themselves "Concerned Earth Scientists". Judith Waite, a graduate student studying geology, but not fully registered at Humboldt State University, sent a letter of protest identifying herself as part of CES, HSU Department of Geology & Environmental Systems", to Dr. Gerald Partain, the director of the CDF, protesting the approval of the THPs. In a letter addressed to Waite, dated March 27, 1987, Don Christensen, HSU Vice President for University Relations excoriated the activist for unauthorized use of the letterhead to legitimize her protest, charging that, "This university has no record of having authorized the activities or sanctioned the name of the organization"; that they had no record of Waite being a student there; and that they would pursue legal action if she continued her actions. Waite was convinced that the letter was politically motivated, perhaps prompted by Partain himself.¹⁵² This was not an illogical deduction. Partain had been part of the CDF for three decades, and he was certainly no friend to the environmental movement.¹⁵³ And for that matter, HSU, a public university received a substantial percentage of its funding from *private* donations, particularly Corporate Timber.¹⁵⁴

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Meanwhile, Earth First!ers responded by organizing actions against Maxxam on March 25 in several locations, including Marin County; at the Maxxam headquarters in Houston, Texas; and at the corporation's shareholders' annual meeting in Santa

¹⁵⁰ "Maxxam Insults Intelligence", letter to the editor by Darryl Cherney, *Humboldt Beacon and Fortuna Advance*, March 28, 1987.

¹⁵¹ King, August 1, 1987, op. cit.

¹⁵² "PL Foes in Fortuna for Harvest Protest", by Enoch Ibarra, *Humboldt Beacon and Fortuna Advance*, May 9, 1987.

¹⁵³ "CDF Director Pledges to Help Timber Interests", *Humboldt Beacon and Fortuna Advance*, June 24, 1988.

¹⁵⁴ "HSU, Timber Officials Discuss Financial Support; Industry Questions, Commitment to University", by Kie Relyea editor in chief, *The Lumberjack*, August 29, 1990.

Monica at the Miramar Sheraton Hotel.¹⁵⁵ It was at this southern California action where Greg King—who, with the help of a newly formed group of Los Angeles Earth First!ers, had cobbled together enough funds to purchase a small handful of Maxxam shares—carried out his intent to meet with Hurwitz directly. After convincing a pair of unbelieving gatekeepers that he was indeed an actual stockholder, he gained entrance to the Starlight Room of hotel where the meeting was in progress. King initially attempted to dialog with Hurwitz outside of the meeting in the convention room, but failed.¹⁵⁶

The Maxxam CEO evidently had a lot more on his mind than a few pesky “hippie” environmentalists. An independent group of Maxxam shareholders were angry that he had effectively shortchanged them in restructuring the complex relationship between Maxxam and MCO. As part of this move, P-L had been valued at \$840 million, but consultants had meanwhile assessed its depreciation value in excess of \$2 billion. After a lengthy report announcing the merger of Maxxam and MCO into a single financial entity—which no doubt would enrich Hurwitz and solidify his empire still further—King attempted to address the shareholders but was denied the opportunity. Hurwitz would not be swayed by appeals to reason or citizenship.¹⁵⁷

In response, Greg King and Darryl Cherney then unveiled their ambitious plans to take the protests against Maxxam to a national level. Earth First! held two further protests against old growth logging, one at the College of the Redwoods on April 8 and the other at the CDF in Fortuna on April 16.¹⁵⁸ They then announced that the third week of May, beginning on the 17th, would be a “Week of Outrage Against Maxxam” with actions in every location where the corporation had an office or operations. Furthermore, the demonstrations would involve direct action, including various instances of civil disobedience.¹⁵⁹ The actions were heavily promoted in the area of every location where a part of it was scheduled to take place, and by the looks of things, it would be Earth First!’s most complex demonstration yet.¹⁶⁰ Since the protests would involve a large degree of civil disobedience with a potential arrest risk Earth First! coordinated the planning through a loose federation of “affinity groups”, which facilitated decentralized, bottom-up planning as opposed to centralized top-down planning, following in the footsteps of the IWW, and other radical libertarian movements.¹⁶¹

The week before the week of outrage was set to commence, environmentalists continued to try and fight the THPs before the CDF during its weekly harvest review

¹⁵⁵ “Earth First! Protests to Maxxam Shareholders”, press release, *Mendocino Commentary*, April 2, 1987.

¹⁵⁶ “Earth First! Duels Maxxam”, *EcoNews*, April 1987.

¹⁵⁷ Harris, op. cit., pages 173-76.

¹⁵⁸ *EcoNews*, April 1987, op. cit.

¹⁵⁹ “National Protest Targeting Maxxam Cutting of Redwoods”, Press Release, *Mendocino Commentary*, May 21, 1987.

¹⁶⁰ “Dave Ziegler: One of 40-100 Protesters at the Maxxam Log Deck in Fortuna”, Interviewed by Beth Bosk, *New Settler Interview*, Issue #21, June 1987.

¹⁶¹ “Tactical Thoughts on the Maxxam Protests”, by Socratrees, *Earth First! Journal*, Litha / June 21, 1987 (“Socratrees” is actually Darryl Cherney).

team meeting at the local office of the agency in Fortuna. On Thursday, May 7, 1990, four members of EPIC as well as King and Waite attended the review to address their concerns about the impact of the THPs on the nearby wildlife habitats and watersheds. Registered Professional Foresters Dave Drenman and Steve Davis, speaking on behalf of the CDF, argued that the proposed harvests posed no significant impact to the existing wildlife, though one of the pair based their conclusions on the existence of “plenty of other habitat for the wildlife to move into.” When questioned by King on the basis for which the CDF arrived at their determination, Drenman responded by declaring that the approval of the THPs was based on “the best available information they had.” The environmentalists then asked if any THP had ever been denied on the basis of significant adverse impact on wildlife habitat, to which the CDFs foresters had to answer in the negative. Then when asked if the THP process was not in fact actually based on economic considerations, one of the foresters admitted it was.¹⁶²

This was a damning admission, and it is likely that it was an open secret that corporate timber would likely have preferred not be stated “on the record.” If P-L had hoped to manufacture consent, an inexperienced RFP had just blown it for them. In anticipation of the Week of Outrage, Earth First! had been handed a PR victory on a silver platter. Unfortunately, the very next day, the wheel of fortune would take a 180-degree turn.

¹⁶² Ibarra, May 9, 1987, *op. cit.*

6. If Somebody Kills Themselves, Just Blame it on Earth First!

*Haul it to the sawmill, Got to make a buck,
Your blades are worn and dangerous, Better trust your luck,
Don't stop for the workers' safety, Never fear the worst,
'Cause if somebody kills themselves, Just blame it on Earth First!,
L-P...*

—Lyrics excerpted from *L-P*, by Judi Bari, 1990.

“Anybody who ever advocated tree spiking of course has to rethink their position.”

—Darryl Cherney, June 1987.¹

Earth First! received much negative press for its advocacy of biocentrism, the notion that all species (including humans) were intrinsically valuable. Their slogan “No Compromise in Defense of Mother Earth!” was forceful and militant, and given the misanthropic leanings of some of its cofounders, it was often taken to mean that they valued the lives of nonhuman species above humans—even if it meant the suffering or death of the latter—which wasn’t actually the case. The situation was complicated further by Earth First!’s advocacy of monkeywrenching: industrial “ecotage” which included everything from deflagging roads to putting sugar in the fuel tanks of earth moving and/or logging equipment. Earth First! cofounder Dave Foreman described monkeywrenching thusly:

“It is resistance to insanity that is encapsulated in Monkeywrenching...(it) fits in with the bioregional concept. You go back to a place and you peacefully re-inhabit it. You learn about it. You become a part of the place. You develop an informal and alternative political and social structure that is somehow apart from the system... it’s also a means of self-empowerment, of finding alternative means of relating to other people, and other life forms...there is a fundamental difference between ecodefense resistance and classic revolutionary or terrorist behavior.”²

¹ “Tree Spiking Splinters All in Timber Wars”, by Eric Brazil, *San Francisco Examiner*, June 21, 1987.

² “Tree Perching, Part 2”, Jane Cope Interviewed by Beth Bosk, *New Settler Interview*, Issue #26, November 1987.

Such a description, while informative, was hardly likely to silence critics on the right. The most controversial of these controversial tactics by far, was Earth First!'s advocacy of "tree spiking", the act of driving large nails into standing trees in order to deter timber sales.³

As described by Dave Foreman in Ecodefense:

"Tree-spiking is an extremely effective method of deterring timber sales, which seems to be becoming more and more popular. If enough trees are spiked to roadless areas, eventually the corporate thugs in the timber company boardrooms, along with their corporate lackeys who wear the uniform of the Forest Service, will realize that timber sales in wild areas are going to be prohibitively expensive."⁴

There was much confusion over the origins of tree spiking. It is, in fact, a very old tactic, predating Earth First! by at least a half century. Indeed, the IWW, itself, was credited with inventing it—and many of its contemporary members accept this as historical fact⁵—although truthfully, the notion that the IWW used tree spiking was a scare story concocted by the employing class to discredit the IWW in its fight for the eight-hour day in 1917.⁶ Logging employees sometimes did spike trees in many locations, during the early days of the IWA, including the North Coast, but there is no proof that the tactic was ever actually used or even advocated by the IWW.⁷ This knowledge escaped some Earth First!ers who held to their own theories on its origins. Dave Foreman believed that environmentally conscious loggers devised the tactic in 1983 to protest clearcutting and the destruction of Elk habitat.⁸ Fellow Earth First!er and Sea-Shepherd Society founder "Captain" Paul Watson claimed to have invented tree spiking *himself*, but either this was a statement made in ignorance or an outright fabrication.⁹ In all likelihood the origins of tree spiking predate the twentieth century, but nobody for sure knows by how much.

The first known *Earth First!* tree-spiking happened in the Siskiyou Mountains of Oregon in 1983, on the Woodrat timber sale on Bureau of Land Management (BLM)

³ Foreman, Dave and "Bill Haywood" editors; forward! [sic] by Edward Abbey, *Ecodefense: a Field Guide to Monkeywrenching*; (third edition), Chico, CA, Abzug Press, 1993, pp. 17-50

⁴ Foreman and Haywood, op. cit.

⁵ For example, Judi Bari believed this to be the case, as she states in "Judi Bari Answers Rob Anderson", by Judi Bari, *Anderson Valley Advertiser*, Sept. 13, 1989 and "A Lesson for Environmentalists: The Earth First! Split, Part 1", and "Part 2" by Russell Norvell – *Anderson Valley Advertiser*, Nov. 7 and 14 (respectively), 1990. See also, Foner, Philip S. Volume VII: Labor and World War I 1914-1918, New York, NY, International Publishers, 1987, Chapter 12, The IWW in Lumber, pp.246-63.

⁶ Chaplin, Ralph, *Wobbly: The Rough and Tumble Story of an American Radical*, Chicago: University of Chicago Press, 1948, pages 206-7.

⁷ "Why Were Trees Spiked?", by Otter G'Zell, *Country Activist*, June 1987.

⁸ "Tree Sabotage Claims its First Bloody Victim", by Dale Champion, *San Francisco Chronicle*, May 15, 1987. The author misidentifies the mill worker as "George Anderson".

⁹ "In Defense of Tree-Spiking", by Captain Paul Watson, *Earth First! Journal*, Mabon / September 22, 1990.

land. Notice was given of the spiking, and some of the trees were marked with yellow ribbons to make them easy to locate and verify. In 1985, in southern Oregon, as part of Earth First!'s campaign to save Cathedral Forest in the Middle Santiam Wilderness—which had already seen road blockades, occupations of sites scheduled to be dynamited (where some of the Earth First!ers actually sat on the charges), and the first ever “tree sits”—Earth First! co-founder, Mike Roselle, sneaked into one stand of this forest and spiked several trees there. He then sent a letter announcing the spiking to the timber company awarded the cut signed “the Bonnie Abzug Feminist Garden Party” in reference to the heroine of *The Monkeywrench Gang*. The incident received much fanfare, but in spite of it, the spiking was ineffective, because the trees were cut (which Mike Roselle later admitted). Worse still, the tactic backfired, because the local press used it to discredit Earth First!, and Mary Beth Nearing, until then a dedicated Earth First!er, began distancing herself from the movement, as a result of the backlash.¹⁰

Over the next two years, tree-spiking took place primarily in Oregon and Washington, but also in Arizona, Colorado, Idaho, Illinois, Kentucky, Maine, Montana, New Jersey, New Mexico, and British Columbia. Earth First! defended the tactic proudly, but in almost every case, tree spiking didn't actually work. Usually the Forest Service or timber company responded by dispatching workers with metal detectors and—turning the tables on Earth First!—they would remove the spikes in a media circus. The tactic wasn't very effective at driving up the price of timber sales either, because—since most spiking occurred on publically owned lands—it was the US Forest Service, and by extension the taxpayers—who bore the brunt of the costs, not the timber companies. Even in the case of spiking on private lands, the economic argument in defense of tree spiking failed, because the price of lumber was variable, and thusly, an increase in production costs usually caused no appreciable drain on profits.¹¹

Earth First!ers who advocated tree spiking claimed that it was not unsafe. The section on tree spiking in *Ecodefense* urges would-be spikers to take every precaution *against* careless acts that could potentially injure loggers or millworkers. Foreman, et. al. recommended against one type of tree spiking where the spiker aims for the base of the trees which is where the sawyer usually makes their cut, because of “the possibility, *however remote* the sawyer might be injured, either by the kickback of the saw striking the nail, or by the chain should it break when striking the spike.”¹² They also urged that spikers “(issue) a blanket warning after marking a few trees for demonstration purposes (with a spray painted white ‘S’), and spiking every tree in the potential logging area,” presumably because widespread spiking mitigated the potential risk associated with an isolated tree spike discovered inadvertently by a logger or mill worker.¹³ Yet, most of the incidents of tree spiking, in Oregon in particular, were primarily angering timber

¹⁰ “The Secret History of Tree Spiking, Part II”, by Judi Bari, *Anderson Valley Advertiser*, March 8, 1993 and *Earth First! Journal*, Brigid / February 2, 1995.

¹¹ Bari, March 8, 1993, op. cit.

¹² Foreman and Haywood, op. cit., page 18; emphasis added.

¹³ Foreman and Haywood, op. cit., page 27.

workers, and by no means were they causing any deterrent to logging, and that was partly due to the employers' willingness to sacrifice their *mill employees'* safety to the sake of making a profit.¹⁴

Should a spiked tree make it all the way to the mill before being discovered, an affected log (could) literally bring operations to a screeching halt, at least until a new blade (could) be put into service.” Foreman, et. al. cavalierly assumed that no worker would be injured by this, because “in large mills, the blades are either operated from a control booth some distance from the actual cutting, or are protected by a Plexiglas shield.”¹⁵ Foreman, however, admitted in 1987 to the *Christian Science Monitor*, that he had never actually seen the inside of a sawmill, and it went without saying that employers often cut corners in matters of safety (especially in nonunion mills). In most cases, the Plexiglas guards weren't even used, and when they were, they were incapable of blocking all shrapnel that resulted from a sawblade hitting a spike, and in any case, workers were often forced to make adjustments to the machinery, while it was in operation, even though technically they were required to stay behind the glass shield.¹⁶

The primary motivator behind the timber industry's lack of regard for its workers' safety was profit, but they had other considerations in mind as well. Oregon millworker Gene Lawhorn once declared, “The timber industry doesn't give a damn about the safety of its workers. They will knowingly run a spiked tree in there so they can point their finger at the environmental activists and say, ‘See, not only are they trying to take your jobs, they're also trying to kill you.’”¹⁷ In one particular instance, at a Boise-Cascade sale in the Wallowa-Whitman National Forest, some spikes were missed by the metal detectors and those trees made it to the mill. There, the spiked trees damaged the milling equipment, breaking teeth off of several sawblades—which, in turn, caromed across the mill. Though no workers were injured, they were terrified and angered. Naturally they directed the blame at Earth First! (and no doubt, that was encouraged by their employers).¹⁸ Given the negative publicity generated by tree spiking towards Earth First!, (which was encouraged by the Corporate Timber barons) it was not at all inconceivable that eventually a timber company might be crass and unscrupulous enough to use an injury of one of their own mill workers as a further P.R. weapon against Earth First.

Sure enough, on Friday, May 8, 1987, in the Louisiana-Pacific sawmill in Cloverdale, sawmill worker George Alexander was nearly decapitated when a tree spike shattered his sawblade. Alexander was but 23 at the time and recently married. He was a lifetime resident of Mendocino County and the son of a Willits logger. His wife, Laurie, was three months pregnant on that fateful day. Alexander was the off-bearer, whose job

¹⁴ Bari, March 8, 1993, op. cit.

¹⁵ Foreman and Haywood, op. cit., page 18.

¹⁶ Bari, March 8, 1993, op. cit.

¹⁷ “Earth First! and COINTELPRO”, by Leslie Hemstreet, *Z Magazine*, July / August 1990.

¹⁸ Bari, March 8, 1993, op. cit.

it was to perform the first rough cut on freshly cut logs, using an enormous band saw, to produce slices of wood that would in turn be sectioned into standard lengths and planed for commercial lumber. It was one of the most dangerous jobs in the mill. Alexander's saw was a behemoth, sized for old growth logs, at 52 feet in diameter and 10 inches thick made of high tensile steel. If that blade should hit a hard knot or metal debris, the saw teeth were prone to breakage.¹⁹ Such debris was actually quite common—not so much from tree spikes, though a few of those were likely to be left over from the 1940s during the IWA union loggers' struggles with the employers then—from old nails, barbed wire fence fragments, insulators, even choker chains from previous logging efforts, and the like that were overgrown as trees aged.²⁰

Alexander was aware of the dangers of his job, but he was skilled in his profession and had an intuitive sense of the machinery, including every potential sound the saw might make. He was not, however, a company man. In fact, Alexander was rather disdainful of L-P and corporate logging in general; he saw L-P as an uncaring, greedy master, but more than that he opposed clearcutting.²¹ Alexander said of L-P, (years later), "we're not even people to them...all they care about is production." Specifically, he protested L-P's lax safety standards in the mill, and butted heads with dayshift foreman Dick Edwards, who was very much aligned with L-P's corporate ethic. In the weeks leading up to the accident, conditions in the mill and the equipment had deteriorated beyond the company's usually mediocre practices. Alexander's band saw blade wobbled when it operated and cracks began to appear in it revealing metal fatigue. Edwards kept insisting that new blades were on order, but not yet available.²² To make matters worse, the mill possessed metal detectors, but weren't using them, despite their use being the company's professed standard practice.²³ On top of that, L-P had already removed one spike from the log, but had sent it to the mill anyway.²⁴ On the day of the accident, Alexander almost elected to stay home from work.²⁵ As fate would have it, had he done so, his story—and perhaps history—would have turned out differently, because the replacement saw blades arrived the very next day.²⁶

The trees being milled on the day of the incident had come from an especially controversial L-P cut on Cameron Road near the rural coastal southwestern Mendocino County hamlet of Elk. They had been cut as early as February, according to

¹⁹ "The Secret History of Tree Spiking, Part I", by Judi Bari, *Anderson Valley Advertiser*, February 17, 1993 and *Earth First! Journal*, Yule / December 21, 1994.

²⁰ G'Zell, *op. cit.*

²¹ Brazil, June 21, 1987, *op. cit.*

²² Bari, February 17, 1993, *op. cit.*

²³ "L-P Hypocrisy", letter to the editor, by Larry Tanager, *Anderson Valley Advertiser*, June 3, 1987.

²⁴ "Darryl Cherney: a Conversation with a Remarkable Candidate", by Michael Koepf, *Anderson Valley Advertiser*, (in two parts) April 27 and May 4, 1988.

²⁵ Bari, February 17, 1993, *op. cit.*

²⁶ "Spiking: Scapegoats Still Sought", *EcoNews*, August 1987.

Mendocino County sheriff's investigator Roy Gourley.²⁷ Residents and workers alike had condemned the cut, complaining about L-P's liquidation of the forest as well as threatening their local water supply.²⁸ Loggers Kenneth and Walter Smith described the cut as shameful even by L-P's standards (though both of them were opposed to tree spiking),²⁹ and Mark Hughs, who lived on Cameron Road stated,

"We're really shocked. I've lived here 17 years and never seen anything like it. I drive down the road and hardly recognize it. I can see clear to Covelo through the clear cuts and skid roads. Loggers usually leave a buffer stand along the roads, but here there are just stumps. They're taking out anything over six inches, leaving nothing but straggly little twigs. Here you buy this beautiful scenic property, surrounded by trees, and all of a sudden you find you're living in the middle of a wasteland."³⁰

George Alexander, himself, would likely have been especially appalled at the Cameron Road slaughter, but being an expectant father, working in a non-union mill, in a timber dependent community, he had little choice but to do his job.³¹

Alexander's saw was sized for much larger logs, but the spiked log was a relatively tiny, slightly less than 12-inches in diameter—what North Coast loggers derisively refer to as a "pecker pole." He chose to make his cut down the middle. Halfway through the log, which measured 10-feet in length, the saw hit a 60-penny nail, exactly the sort described by Foreman, et. al. in *Ecodefense*. The nail had been placed and countersunk. Alexander had checked the log before cutting it, and saw no sign of the metal, and because his saw hit the nail square on, Alexander heard none of the familiar telltale warning sounds. Instead he heard a resounding "BOOM!" and then found himself lying on the floor practically drowning in his own blood.³²

Although Alexander was partially protected by a helmet and plastic face shield, he was struck in his lower left jaw when a large, 12-inch piece of the shattered blade hurtled towards him. The fragment sliced completely through his left jawbone, severing his left cheek, cutting into his jugular vein, and knocking out most of his front teeth.³³ The blade fragment was wrapped around Alexander, and his coworkers had to cut

²⁷ "Lou-Pacific, Environmental Group Trade Accusations", by Peter Page, *Ukiah Daily Journal*, May 15, 1987.

²⁸ Bari, February 17, 1993, op. cit.

²⁹ "Kenneth O. Smith and Walter Smith: Gyppo Partners, Pacific Coast Timber Harvesting", Interviewed by Beth Bosk, *New Settler Interview*, Issue #21, June 1987.

³⁰ G'Zell, op. cit. Hughs was engaging in hyperbole to make a point. Just so the reader understands the gravity of the clearcuts, Covelo is a small village in the northeastern corner of the county and is about as far away from Elk (located in the southwestern corner of the county on the coast) as one could get.

³¹ Bari, February 17, 1993, op. cit.

³² Bari, February 17, 1993, op. cit.

³³ "Earth First! Didn't Do It", by Bruce Anderson, *Anderson Valley Advertiser*, May 20, 1987.

it with a blowtorch while meanwhile preventing him from bleeding to death.³⁴ Russ Owsey, the Cloverdale plant manager described the accident as the worst he'd ever seen in his entire 16 year career.³⁵ Although L-P had no doubt already propagandized against "tree spiking Earth First! terrorists" long before this incident to the workers in the Cloverdale mill, Alexander's initial reaction was to wring Dick Edwards' neck.³⁶ He later explained, "If it had been a good saw, it would have handled the spike better."³⁷ The mill, which employed 175, was shut down for a day while Alexander was taken to an emergency hospital at the University of San Francisco.³⁸

The incident eventually caused quite a stir, and with it much condemnation from L-P. Oddly enough however, they didn't issue a press release until *one week after* the incident.³⁹ But once they did, there was no mystery—as far as L-P and the Corporate Media were concerned—as to the perpetrators. An "unnamed" male L-P spokesperson connected the incident to Earth First!.⁴⁰ This was an odd accusation indeed. Tree spikings happened in California much less frequently than anywhere else, with *no* tree spikings—at least none by Earth First!—taking place in Humboldt and Mendocino Counties.⁴¹ In fact, the North Coast Earth First! groups had consciously made the decision *not* to use the tactic for strategic reasons, reasoning that it could alienate potential supporters.⁴² Nevertheless, Lois Busey, another L-P spokesperson declared that Earth First! was "the type of group known for terrorist activities" like tree spiking, and in the same breath she also stated. "One of Earth First!'s mottos is 'No compromise in defense of Mother Earth,'" as if that statement were somehow automatically implicated them for the injury to George Alexander.⁴³

In spite of all of the claims to the contrary, there was no conclusive proof that Earth First! had actually perpetrated the act. There was only L-Ps assertion that the act "may have been carried out by Earth First!", the fact that Earth First! was known for tree spiking and monkeywrenching, and an unnamed L-P spokesman's declaration that a Caterpillar wheel tractor-scraper at the site of the spiking had been damaged by someone filling in its fluid cavities with concrete.⁴⁴ The lack of any solid evidence

³⁴ Bari, February 17, 1993, op. cit.

³⁵ Brazil, June 21, 1987, op. cit.

³⁶ Bari, February 17, 1993, op. cit.

³⁷ *EcoNews*, August 1987, op. cit.

³⁸ *Champion*, May 15, 1987, op. cit.

³⁹ *Tanager*, June 3, 1987, op. cit.

⁴⁰ "Sabotage Suspected in L-P Injury", by Enoch Ibarra, *Humboldt Beacon and Fortuna Advance*, May 16, 1987.

⁴¹ Bari, March 8, 1993, op. cit.

⁴² "Liquidating the Last Redwood Wilderness", by Greg King, *Earth First! Journal*, Lughnasadh / August 1, 1987.

⁴³ "Earth First! Blamed for Workers' Injury", by Marie Gravelle, *Eureka Times-Standard*, May 16, 1987 (Gravelle erroneously identifies Edward Abbey as the author of Ecodefense, among various other mistakes.)

⁴⁴ Ibarra, May 16, 1987, op. cit..

confirming that Earth First! (or any environmental activist for that matter) had committed the act didn't stop Mendocino County Sheriff Tim Shea from issuing a widely quoted press release full of doublespeak stating,

"This heinous and vicious criminal act is a felony offense, punishable by imprisonment in State Prison for up to three years. Still undetermined in the investigation is the motive of the suspect or suspects, to deter logging operations or inflict great bodily injury and death upon lumber processing personnel"⁴⁵

The absence of any proof of a connection to Earth First! didn't prevent L-P spokeswoman Glennys Simmons from distributing the tree spiking chapter of *Ecodefense* to reporters.⁴⁶ Not to be outdone, Harry Merlo, announced that L-P was prepared to offer a \$20,000 reward for information leading to the arrest and conviction of perpetrator of the spiking.⁴⁷ He explained, "I hope the reward helps law enforcement officials arrest whoever is responsible for this act. I also hope this horrible demonstration of the outcome of their action will lead these individuals to abandon their potentially lethal activities."⁴⁸ Though he didn't name them, Merlo was also convinced that environmentalists, specifically Earth First!ers were responsible, declaring, It was only a matter of time before this terrorism in the name of radical environmental goals caused serious injury.⁴⁹

The media ate it up. "Earth First! Blamed for Workers' Injury," declared the *Eureka Times-Standard*⁵⁰ and "Tree Spiking 'Terrorism' Blamed for Injuries," screamed the headline of the *Santa Rosa Press Democrat*.⁵¹ The *San Francisco Chronicle* announced, "Tree Sabotage Claims its First Bloody Victim".⁵² The local, small-town press was not much better parroting the corporate press almost word-for-word.⁵³ Although they acknowledged there was no proof Earth First! had spiked the tree, they nevertheless *implied* that Earth First! had done so. Enoch Ibarra's article in the *Humboldt Beacon and Fortuna Advance* bore the headline, "Sabotage Suspected in L-P Injury", which itself didn't necessarily single out Earth First!, but the penultimate paragraphs in the article did.⁵⁴

⁴⁵ Gravelle, May 16, 1987, op. cit.

⁴⁶ Page, May 15, 1987, op. cit.

⁴⁷ "Huge Reward for Info on Spiking", by Peter Page, *Mendocino Beacon*, May 20, 1987.

⁴⁸ Gravelle, May 16, 1987, op. cit.

⁴⁹ Page, May 15, 1987, op. cit.

⁵⁰ Gravelle, May 16, 1987, op. cit.

⁵¹ "Tree Spiking 'Terrorism' Blamed for Injuries", by Steve Hart, *Santa Rosa Press Democrat*, May 15, 1987.

⁵² Champion, May 15, 1987, op. cit.

⁵³ See, for example "Heinous Acts", editorial, *Mendocino Beacon*, May 20, 1987; (this same issue also included comments from one of its regular columnists, Jaques Helfer—a self described "conservationist" who rarely sided with any actual conservationists (for example, he had taken L-P's side in the Garlon spraying at Juan Creek) who took it as a given that the spiking was the work of environmentalists).

⁵⁴ Ibarra, May 16, 1987, op. cit..

Nancy Barth, a regular columnist for the Mendocino Coast based *North Coast News*, who described herself as a “moderate” and “concerned about the environment,” yet never seemed to actually support local environmentalists on any issues—outside of opposing offshore oil drilling—compared Earth First! to a rogues gallery of despicable characters and lunatics, such as Jim Jones (mass murderer of his People’s Temple cult in 1978 in Guiana), serial killers Charles Manson and Leonard Lake, and child kidnappers Kenneth Parnell and “Treefrog” Johnson—all of who had passed through Mendocino County at one time or another. Barth sneeringly referred to Edward Abbey as Earth First!’s “Chief Guru” and Dave Foreman as Abbey’s “Assistant Guru”, not even once acknowledging that Earth First!’s innately anarchistic organizational structure meant that said movement perceived—amongst its ranks at any rate—that it had no leaders, let alone gurus.⁵⁵

Unfortunately, a handful of Mendocino County environmentalists hurt themselves almost as much by reacting to the accusations ambiguously, inadvertently adding weight to the claims that Earth First! might have indeed have been guilty. For example, Ron Guenther warned that tree spiking was likely to increase as outrage over L-P’s type of forestry and pursuit of profit continued unabated. He also stated:

“If L-P cares one iota about the long-term welfare of its workers, it will either get into responsible, sustained-yield, select-cut forestry or install some heavy-duty worker-protective equipment in all of its mills. I just feel a tremendous sorrow and empathy for anyone who is so desperate to get beans on the table that they would feel compelled to take a job with this awful Earth and people-hating corporation.”⁵⁶

Although he insisted that Earth First! hadn’t spiked the tree, Don Morris still argued that spiking was acceptable as a guerilla tactic to be done covertly, which allowed for all sorts of unintended consequences.⁵⁷ Kim Moon Water, responding to the local press’s quickness to blame Earth First! for a tree spiking they likely didn’t commit⁵⁸ may have caused more harm than good by making pro-spiking statements that seemed to suggest that the ends justified the means.⁵⁹ This touched off a firestorm of debate that divided the community for months, in which environmental activists and family members of timber workers (most of them sympathetic to the environmentalists on most issues) debated over economics, the lack of power felt by timber workers, how deep ecologists could be so concerned with all species except humans, and whether or not one worker losing (part of) his face was as bad as thousands upon thousands of

⁵⁵ “Eco-Terrorism is Not Environmentalism”, by Nancy Barth, *North Coast News*, June 4, 1987.

⁵⁶ “Coastal Waves”, by Ron Guenther, *Anderson Valley Advertiser*, May 27, 1987 and *Mendocino Commentary*, June 4, 1987.

⁵⁷ G’Zell, op. cit.

⁵⁸ “Inappropriate” letter to the editor by Kim Moon Water, *Mendocino Beacon*, May 27, 1987.

⁵⁹ Letter to the editor, by Kim Moon Water, *Mendocino Commentary*, June 4, 1987.

acres of slaughtered old growth forests. Most of the participants agreed on 95 percent of the issues, as usual, but the tactic of tree spiking created an emotional wedge between would be allies, even though, as Betty Ball pointed out, the tragedy at least forced the discussion.⁶⁰

The reaction of most local residents, however, including many environmentalists was one of condemnation. Two years previously, just as Earth First! was getting going in Mendocino County, some prominent spokespeople for the Mendocino Greens had cautioned against spiking.⁶¹ Even those sympathetic to Earth First! acknowledged that the latter would be blamed whether or not one of their own had spiked the tree, simply because they had advocated the tactic.⁶² Even many of those critical of the Cameron Road cut expressed dismay at the tree spiking. For example, Mark Hughs stated, “We think (spiking is) a terrible thing, as bad as the clear cutting. That’s not the right way to go about it.”⁶³ Charlie Acker, who operated the Elk County Water District declared,

“People in Elk who know where that log came from are against (tree spiking), but on the other hand there’s a certain frustration. How do you get to these guys [L-P]? We’re losing our topsoil up there (on the ridges) and we’re down at the bottom of the watershed. Every year we watch (the Navarro River) turn the color of coffee with a lot of cream in it, because of L-P’s logging.”⁶⁴

Long time forest activist Helen Libeu, who doubted that any Earth First!er was the guilty party in any case, stated, “spiking trees and such is in my view immoral, dumb, and counterproductive.”⁶⁵

Earth First!’s cofounders who were regarded by the corporate press as “leaders” (whether intended or not) were no less ambiguous in their sensitivity to Alexander’s plight. For example, Dave Foreman said, “It was unfortunate that this worker was injured and I wish him the best.”⁶⁶ He also said, however, “I think it’s unfortunate that somebody got hurt, but you know I quite honestly am more concerned about old

⁶⁰ “Response to Ron Guenther and Kim Moonwater”, by Gail Goldoor, *Mendocino Commentary*, June 18, 1987; (Editor) “Carol Root’s Response to Gail Goldoor”, *Mendocino Commentary*, June 18, 1987; “Coastal Waves”, by Ron Guenther, *Mendocino Commentary*, July 2, 1987; Letters to the editor by Wayne C Raabe, Betty Ball, Jean Holt, and Russel Hill, *Mendocino Commentary*, July 2, 1987; “From the Editor’s Desk”, by Carol Root, *Mendocino Commentary*, July 2, 1987; Letters to the editor by Eric Fielder, et. al., Randy in Gualala, Trish in Gualala, and Bob Wonacott, *Mendocino Commentary*, July 16, 1987; and an unsigned letter to the editor, *Mendocino Commentary*, July 30, 1987.

⁶¹ See for example, “Publisher’s Corner”, by Harry Blythe, *Mendocino Commentary*, February 21, 1985.

⁶² “Dead Meat!”, letter to the editor, *Anderson Valley Advertiser*, June 3, 1987.

⁶³ G’Zell, op. cit.

⁶⁴ Brazil, June 21, 1987, op. cit.

⁶⁵ “More on Tree Spiking”, by Helen Libeu, *Anderson Valley Advertiser*, May 20, 1997.

⁶⁶ Champion, May 15, 1987, op. cit.

growth forests, spotted owls, wolverines, and salmon—and nobody is forcing people to cut those trees.”⁶⁷

Likewise, Mike Roselle declared (writing under the pseudonym “Nagasaki Johnson”):

“Spiking is dangerous to fellow humans, and should never occur without warning! I think even the most misanthropic among us would agree with that. If it is indeed a defensive tactic, and not an offensive one, then we owe it to the unfortunate laborers who must slave away for corporate greedheads at a job that is already the most dangerous in this country.”⁶⁸

But he also said, publically (using his own name), “This is probably the first time we’ve made international news, and we weren’t even involved in it.”⁶⁹ He further declared, “The bottom line here is that as a result of all this unfavorable coverage regarding spiking, people on the West Coast are acutely aware of the crisis that exists with our forests, and our role in trying to prevent it.”⁷⁰ Which risked leaving the impression that Earth First!, like L-P was willing to sacrifice a worker as a pawn (even as much as they sent Alexander their sincerest condolences), whether that was intended or not.

For their part, *North Coast* Earth First!ers denied that they had spiked the tree. The Redwood Action Team condemned both L-P’s accusations and reiterated their abstinence from the tactic of tree spiking:

“North Coast California Earth First! strongly condemns the timber industry’s recent heavy-handed tactics designed to bring woodworkers wrath upon environmentalists. *Our efforts have not and will not involve tree spiking, destruction of private property, or devices that threaten harm to any life form, including humans.* Industry’s spring media blitz, which inaccurately associates Earth First! efforts with malice toward woodworkers, is a blatant ruse.”⁷¹

Greg King noted that his Earth First! chapter, at least, had not engaged in any campaigns against L-P, at least not yet, and that tree spiking was a tactic that they did not use, though he clarified that he was not sure what Earth First!ers or environmentalists elsewhere might do.⁷²

Darryl Cherney specifically added:

⁶⁷ Bari, February 17, 1993, op. cit.

⁶⁸ “Dear Nedd Ludd: Tree Spiking”, by Nagasaki Johnson, *Earth First! Journal*, Litha / June 21, 1987.

⁶⁹ Brazil, June 21, 1987, op. cit. Judi Bari erroneously attributed this quote to Dave Foreman some years later.

⁷⁰ Johnson, Litha / June 21, 1987, op. cit.

⁷¹ “Earth First! Responds to Timber Industry Propaganda Assault”, North Coast EF! Press Release, *Country Activist*, July 1987. Emphasis added.

⁷² Ibarra, May 16, 1987, op. cit.

“Timber Companies such as L-P have traditionally blamed environmentalists for their shortage of timber lands. Now they are blaming environmentalists for their worker safety hazards. They should be ashamed of themselves for using the injury of this poor man to further their own political and economic motives.”⁷³

The *Ukiah Daily Journal* sneered at these statements, claiming that they were sure that George Alexander would agree with them (which, as it was ultimately proven later, was not true), and further opining:

“The radical environmental organization Earth First! has yet to denounce tree spiking, a tactic described in the book *Ecodefense: A Field Guide to Monkeywrenching*, written by two of its leading members. Instead (Darryl Cherney), when queried about this incident, accused the timber companies of ‘blaming environmentalists for the safety hazards in their mill operations.’ That’s like saying Americans on Middle East cruise ships deserved to be killed by terrorists because they were too stupid to pack a bullet proof vest.”⁷⁴

This was ridiculous. While some Earth First!er’s reactions to the condemnation may have been poorly chosen, *none* of them would have made such a callous and unfeeling statement. The *Ukiah Daily Journal*, however, was not one to ever accept that capitalist driven, profit oriented timber practices *did indeed* incentivize cutting corners, particularly when safety precautions were directly counterposed to the bottom line.⁷⁵

* * * * *

While the debate on spiking raged on, the Cameron Road tree spiking story took even more bizarre turns. To begin with, According to L-P security chief Jack Sweeley⁷⁶, several mutilated animals, including pigs, a beheaded deer hanging from a tree, and a skinned dog draped over a bulldozer⁷⁷, had been found along Cameron Road and deliberately placed there by an obviously deranged individual.⁷⁸ Though this happened several days before L-P had begun cutting, the company hinted that these actions were also the work of Earth First! and attempted to link them to the spiking itself⁷⁹, at first by withholding the information about the animal carcasses, and then raising the issue at the same time they condemned Earth First! for Alexander’s injury in the

⁷³ Gravelle, May 16, 1987, op. cit.

⁷⁴ “Timberland Terrorism”, editorial, *Ukiah Daily Journal*, May 19, 1987.

⁷⁵ Bari, February 17, 1993, op. cit.

⁷⁶ Page, May 15, 1987, op. cit.

⁷⁷ Bari, February 17, 1993, op. cit.

⁷⁸ Bruce Anderson, May 20, 1987, op. cit.

⁷⁹ “Mutilation Link Probed: Animals Killed Near Spiked Trees”, by Mike Geniella, *Santa Rosa Press Democrat*, May 16, 1987.

mill. L-P miscalculated in their thinking, however, because though many might believe Earth First! had spiked the trees, almost *nobody* would buy the story that Earth First! would deliberately kill and disfigure pigs, deer, and dogs.⁸⁰ Such actions were entirely inconsistent with any Earth First!'s actions up until this point. Mendocino County Earth First!er, Betty Ball, declared, "I have never heard of (Earth First!ers carrying out) animal mutilations before. You can look through (Ecodefense) and you won't see *anything* about (them)."⁸¹ Nevertheless, L-P did what they could to establish the connection in people's minds anyway. Both Tim Shea and Glennys Simmons cited as "proof" a vandalized sign near the logging site covered with obscenities, but no actual calling card, let alone anything connecting it with Earth First!⁸²

L-P and Mendocino County law enforcement also tried to link the tree spiking incident to other unrelated acts of equipment sabotage to logging operations whether or not they were directly connected to L-P or even to the Cameron Road cut. Glennys Simmons drew backhanded connections to an incident at Rockport, in the northwestern corner of the county—far away from Cameron Road—where an unidentified party left incendiary statements on a comment form in response to the company's pamphlet describing their logging in a nearby "demonstration" forest. The comments read, "Leave the trees alone. A tree walk (sic) in the woods...God is watching and knows what you are doing—Earth First (sic) will be here soon."⁸³ Whether or not the anonymous note was an attempt to implicate Robert Sutherland, "The *Man* Who Walks in the Woods" is unknown, but the lack of an exclamation point—something dedicated Earth First!ers always insisted on including after "Earth First"—should've been an obvious clue that the attribution was false. Sheriff Shea drew connections to an incident that took place on March 31 involving local gyppo operator Charles Hiatt at a cut 20 miles to the west of Ukiah on Low Gap Road.⁸⁴ Neither incident had anything to do with the other let alone the Cameron Road THP, but truthfulness was evidently not as important to either L-P or Mendocino County as it was to find anything even remotely plausible to solidify the notion in people's minds that Earth First! was Public Enemy Number One.

Many of Earth First!'s fellow travelers were quick to defend the radical environmental movement by pointing out that this particular spiking did not fit the patterns of similar acts elsewhere. "Woods" Sutherland declared, "There are so many unanswered questions. I also find it strange that only one or two spikes were found. If someone was interested in tree spiking they would spike all the trees."⁸⁵

⁸⁰ Johnson, Litha / June 21, 1987, op. cit.

⁸¹ Page, May 15, 1987, op. cit.

⁸² "New Turn in Tree-Spiking: Dead Animals Left as Hexes", by Dale Champion, *San Francisco Chronicle*, May 16, 1988.

⁸³ "L-P Offers \$20,000 Reward on Tree Spiking", by Enoch Ibarra, *Humboldt Beacon and Fortuna Advance*, May 20, 1987.

⁸⁴ Page, May 15, 1987, op. cit.

⁸⁵ Gravelle, May 16, 1987, op. cit.

Bruce Anderson, editor of the coincidentally named *Anderson Valley Advertiser*, pointed out that the location of the spike itself made it highly unlikely that this an Earth First! spiking:

“Earth First! does not spike downed trees. The point of tree spiking is to keep trees standing by spiking them, then informing the media they have been spiked. Driving a spike deep into a downed tree plainly risks injury to both mills and workers and is a tactic repudiated by Earth First!”⁸⁶

Willits Earth First! activist, Don Morris, declared:

“(This particular spiking) was a loony operation. Earth First! goes overboard on security, safety, (and) making sure people know of dangers. Spikers paint a white ‘S’ on trees...the object of spiking (is to) prevent trees from being cut. (You) notify the logging operation, mill and media, or there’d be no point to it. Spiking is not done just flippantly.”⁸⁷

The spiking itself had been so carelessly done, that it violated all of the safety standards suggested in Ecodefense. In fact, it was just as likely, given the forensic evidence of the spike’s placement in the tree, about nine feet up from its base, *that the tree had been spiked while lying on the L-P log deck after it had been cut*.⁸⁸ Certainly it was unlikely that the tree had been spiked while standing unless, as Bruce Anderson humorously suggested, “(an) average sized person teamed up with a midget, (and) the midget got up on the shoulders of his partner to hammer in the spikes.”⁸⁹ In all of the cases of Earth First tree spikings, no spiking had occurred *after* the tree had been cut, and contrary to all of the anti-Earth First! propaganda, it was unlikely that they would have deliberately risked injury to a mill worker, despite any insensitivity expressed by some of their spokespeople. Earth First!ers, in general, were strategically smart, and spiking a downed tree would have been regarded as colossally stupid in any case, not only because of it being a pointless act, but it was an unnecessary risk to the spiker, never mind the worker. It would not have benefitted anyone wishing to preserve the forests to have spiked a down log.⁹⁰

* * * * *

As it turned out, the prime suspect was a man in his middle fifties, named Bill Ervin, a registered *Republican* from Southern California, who was not only *not* an

⁸⁶ Bruce Anderson, May 20, 1987, op. cit.

⁸⁷ G’Zell, op. cit.

⁸⁸ Bari, February 17, 1993, op. cit.

⁸⁹ “Here and there in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, May 27, 1987.

⁹⁰ Letter to the editor, by Crawdad Nelson, *North Coast News*, July 18, 1987. Nelson is a former G-P mill worker, who retired early due to work-related injuries, and the son of IWA Local #3-469’s Don Nelson. The younger Nelson was sympathetic to Earth First! and was arguing in defense of them here in response to Nancy Barth, op. cit.

Earth First!er, but in fact a right wing survivalist who died his hair, mustache, and eyebrows a vivid blonde; he also had a sizable collection of guns. Ervin was no fan of L-P however, and he had made several threats against the company within earshot of the residents of Cameron Road, who were aware of Ervin's erratic and belligerent behavior which made them nervous.⁹¹ He openly admitted to spiking several trees on his own property, which he flagged with yellow tape, to prove a point because L-P had a reputation for cutting and taking trees several feet beyond their property line (as Greg King had once documented). He had borrowed the hammer he used to spike the trees from a neighbor (to whom he explained his reasons) and also bragged about it to an L-P truck driver and a California Highway Patrol officer. Ervin justified his actions to Sheriff Shea stating, "I may be in error, but I understand that one can spike trees on one's own property."⁹² When this new information came to light, the press (quietly) recanted their accusations that "Earth First! terrorists" had spiked the trees.⁹³ In stark contrast with his earlier actions, the Sheriff issued no press release condemning Ervin and eventually dropped the case with little notice and without filing any charges.⁹⁴ Glennys Simmons declared, "We never have accused Earth First! (of causing Alexander's accident) We have accused them of supporting terrorism by supporting tree spiking."⁹⁵

It was no less impossible to prove Ervin spiked the tree in question, however, and the only reason why he represented a credible suspect *at all* was that the evidence against all other suspects was even weaker. Ervin maintained that he used only 16 penny (six-inch) nails on the trees he spiked, no other sized nails were found when the sheriffs and L-P security examined the trees in the area, and there is no evidence suggesting that Ervin had access to larger spikes, yet the spike found in the log that resulted in Alexander's injury was a much larger 60 penny (11 inch) nail. Ervin submitted to a polygraph test, and though he answered in the negative when asked "did you spike the logs at the deck on Cameron Road?" and "Did you spike any trees outside your property?", he failed the test on both questions.⁹⁶ The reliability of polygraph tests in general is now considered to be very doubtful, but there is no other conclusive evidence that Ervin spiked the tree that ultimately injured Alexander. All of the trees Ervin *did* spike were consistent with the methods outlined in Ecodefense, but the one that injured the millworker *wasn't*.⁹⁷

Clearly, the entire incident was a media circus from start to finish, and it seemed a perfect PR coup for Corporate Timber, almost *too* perfect. Indeed, there were some who went as far as to suggest that the spiking had been planned by the industry itself,

⁹¹ Bruce Anderson, May 20, 1987, op. cit.

⁹² Bari, February 17, 1993, op. cit.

⁹³ Johnson, Litha / June 21, 1987, op. cit.

⁹⁴ Bari, February 17, 1993, op. cit.

⁹⁵ Brazil, June 21, 1987, op. cit.

⁹⁶ Bari, February 17, 1993, op. cit.

⁹⁷ Bruce Anderson, May 20, 1987, op. cit.

since Ervin's story was full of inconsistencies, and the evidence indicated that spike had been placed in the tree after it had been cut. Crawdad Nelson even suggested that L-P *itself* was the most likely suspect.⁹⁸ It is highly unlikely, however, that even the Louisiana-Pacific Corporation was so crass that it would deliberately injure one of its workers, and it would have been impossible to plan for events, particularly the injuries to Alexander, to unfold exactly as they did. Nevertheless, L-P's supposed outrage about their workers' safety was nothing but posturing, given their lack of attention to safety conditions in the mill prior to the incident, or their insistence in continuing to run spiked logs through the equipment *after* it.

Indeed, L-P made no substantial changes to its safety standards immediately following the accident. Glennys Simmons insisted, "We thought long and hard about revealing this spiking incident. We decided it would be in our best interests to go public, to deter others. We're concerned about the safety of our employees," but this was a bald-faced lie.⁹⁹ To begin with, two more spiked logs made it into the mill *after* Alexander's nearly fatal injury.¹⁰⁰ The company continued to refrain from using metal detectors until, on May 12, after *yet another* spiked log pass through the band saw. This time, fortunately, nobody was injured.¹⁰¹ The mill was nonunion, but IWA Local 3-469 made a public statement condemning both tree spiking, but also asking for metal detectors to be used at all times.¹⁰² In doing so, the union noted that the vast majority of metal found in milled logs was incidental, rather than deliberate sabotage.¹⁰³ Simmons had claimed that metal detectors couldn't reliably detect tree spikes (even metal ones), but this claim was disputed by the California State Occupational Safety and Hazard Administration.¹⁰⁴ Evidently L-P only claimed to give a damn about safety in order to shift the blame for Alexander's injury to Earth First!. The *Ukiah Daily Journal* had no comment on these revelations, however.

Further demonstrating that this was purely propagandistic kabuki by L-P, the company had made a huge noise about offering a \$20,000 reward for information leading to the arrest and conviction of perpetrator of the spiking.¹⁰⁵, but George Alexander had

⁹⁸ Crawdad Nelson, July 18, 1987, op. cit.

⁹⁹ G'Zell, op. cit.

¹⁰⁰ "Third Spiked Tree Discovered at Mill", McClatchy News Service, *Santa Rosa Press Democrat*, May 19, 1987, and "Earth First! Didn't Do It", by Bruce Anderson, *Anderson Valley Advertiser*, May 20, 1987,

¹⁰¹ Tanager, op. cit.

¹⁰² "Timber Union Asks for Metal Detectors", *Ukiah Daily Journal*, May 25, 1987; "Union Seeks Metal Detectors in Sawmills", by Chris Smith, *Santa Rosa Press Democrat*, May 28, 1987; and "IWA Asks Worker Protection" / "Union Wants Detectors", by Katherine Lee, *Fort Bragg Advocate News / Mendocino Beacon* (respectively) June 3, 1987.

¹⁰³ "'Earth First! Didn't Do it'", *EcoNews*, June 1987. The title is the same as Bruce Anderson's article, because the article featured in *EcoNews* summarized the piece in the *Anderson Valley Advertiser*, even though the NEC added a few additional details of their own.

¹⁰⁴ "Here and There", by Bruce Anderson, *Anderson Valley Advertiser*, June 10, 1987.

¹⁰⁵ "Huge Reward for Info on Spiking", by Peter Page, *Mendocino Beacon*, May 20, 1987.

to file a lawsuit against the company just to get them to cover his medical expenses, of which L-P ultimately only paid \$9,000. They didn't even offer to fund an extensive hospital stay for Alexander, who was discharged on May 13, less than a full week following the incident, even though he still required extensive reconstructive surgery. Simmons indicated that the company had received several donations for the reward money from various individuals already (and one might wonder if the company had any qualms about accepting it in lieu of lowering their own obligations further).¹⁰⁶

Literally adding insult to injury, L-P continued to use Alexander as a poster child for their continued denunciations against Earth First!, repeatedly offering TV news programs footage of him speaking through his bandages from his hospital bed, even though Alexander himself didn't consent to being used this way. Alexander and his wife, Laurie, had told the press that they held L-P responsible for the accident, that they opposed clearcutting, and that they bore no ill will towards the environmentalists, but these comments were all but ignored. "Some woman from Humboldt County" whose name Alexander couldn't recall tried to convince the injured millworker to go on a tour denouncing Earth First!, but Alexander refused. After that, Alexander was forced to return to work, out of economic necessity, still recovering from his injuries, and was involuntarily transferred to the night shift.¹⁰⁷ Ironically, the Cloverdale mill was slated to be upgraded soon, and Alexander's job was to be automated, thus eliminated.¹⁰⁸

One possible theory suggests that while L-P didn't plan for the injuries to Alexander, they *did* intend—with foreknowledge—to run spiked logs through the Cloverdale mill in order to blame Earth First! and create a negative image of the environmental movement in the minds of the public. Earth First!ers were convinced that the timing of the announcement, certainly, was intended to turn the workers and the general public against the upcoming Week of Outrage.¹⁰⁹ Although the incident took place in Sonoma County at an L-P mill, rather than in Humboldt County at a P-L facility, it was known that both L-P and P-L participated in an industry front group called the West Coast Alliance for Resources and the Environment (WECARE), and the unnamed woman who had called Alexander may have been one of their spokespeople.¹¹⁰ Upper management representatives of both corporations routinely communicated with each other and collaborated to undermine the environmental movement.¹¹¹ Right after L-P's press conference, P-L public affairs manager David Galitz expressed "concern" about

¹⁰⁶ Ibarra, May 20, 1987, op. cit.

¹⁰⁷ Bari, February 17, 1993, op. cit.

¹⁰⁸ Brazil, June 21, 1987, op. cit.

¹⁰⁹ "Dear Nedd Ludd: Tree Spiking", by Nagasaki Johnson and "Tactical Thoughts on the Maxxam Protests", by Socratrees, *Earth First! Journal*, Litha / June 21, 1987 ("Nagasaki Johnson" is actually Mike Roselle).

¹¹⁰ "Tactical Thoughts on the Maxxam Protests", by Socratrees, *Earth First! Journal*, Litha / June 21, 1987 ("Socratrees" is actually Darryl Cherney).

¹¹¹ "The Palco Papers", By Judi Bari, *Anderson Valley Advertiser*, March 27, 1991.

the tree spiking, declaring, “We are going to be extremely vigilant about trespassing on our property in order to protect our people.”¹¹²

* * * * *

It wasn’t the first time that tree spiking had been used by the industry to generate negative press against environmentalists, and it would not be the last time that Corporate Timber or their enablers would blame Earth First! for things it didn’t do. Several months later, in the absence of any evidence whatsoever, Humboldt County’s Second District Supervisor, Harold Pritchard, accused Earth First! of two separate incidents of vandalism against a logging truck, calling it “terrorism, pure and simple.” Greg King angrily responded,

“(Pritchard) mentions nothing of the terror and destruction handed North Coast watersheds by greedy, denuding, corporate money-grubbers, nor does Pritchard seem to care about suffering woodworkers laid off due to industry’s refusal to practice sustained-yield logging.”¹¹³

Two months later, the Sonoma County Coalition to Stop L-P, claimed to have spiked trees at the Silver Estate near Guerneville in Sonoma County, immediately south of Mendocino County. To their credit the coalition was emphatic in their abiding by the safety precautions suggested in Ecodefense, (including spray painting a white letter ‘S’ on some of the disputed trees), expressing regret for Alexander’s injuries, and calling spiking without warnings “irresponsible.”¹¹⁴ But the warning turned out to be a bluff, and no spiked trees were ever found. This didn’t stop L-P from claiming that it had located a suspect who was, by their own description, “a black man with a bone through his nose who rides a bicycle and carries bows and arrows”. Such incidents didn’t alleviate the tension caused by spiking, and in some cases made the situation worse.¹¹⁵

Despite all of this, Earth First! *outside* of Northern California continued to advocate the tactic of tree spiking, and while they were absolutely correct in pointing out that L-P was the real culprit in Alexander’s injury (a point to which Alexander himself wholeheartedly agreed), it *was* highly irresponsible to suggest that Earth First! deserved absolutely no blame. In any case, as L-P spokeswoman Glennys Simmons had stated, spiking was “not a deterrent to logging,”¹¹⁶ and even though Earth First! certainly didn’t spike the Cameron Road trees cut by L-P, L-P’s anti Earth First! P.R. still had its desired effect, because for years after the incident, the timber bosses continued to repeat the lie, and many loggers and millworkers believed it.¹¹⁷ The resulting

¹¹² Gravelle, May 16, 1987, op. cit.

¹¹³ “Spiking: Scapegoats Still Sought”, *EcoNews*, August 1987.

¹¹⁴ “Spikers Threaten L-P Land”, staff report, *Eureka Times-Standard*, July 16, 1987.

¹¹⁵ Bari, March 8, 1993, op. cit.

¹¹⁶ G’Zell, op cit.

¹¹⁷ Bari, March 8, 1993, op. cit.

animosity between timber workers and Earth First!ers only helped Corporate Timber drive further wedges between them.

If there was one silver lining to be had, it was that this incident would ultimately lead to the IWW returning directly to the struggle, though that process would take some time.

7. Way Up High in The Redwood Giants

“I just wish Mr. Hurwitz would go out in the woods and take about a day and just sit down in inside a redwood grove. Maybe he’d have a different opinion (about) what’s going on. Rather than looking at a dollar bill, he’d be seeing a tree for its value.”

—John Maurer, Pacific Lumber shipping clerk, 1976-86.

“The employees of PL have no union or representation; they’ve been kidnapped. Whatever their employer requires, they must fulfill or risk unemployment. They’ve become forced through economics to support practices they would never have supported otherwise. PL employees are paranoid by necessity. Folks are so afraid of losing their jobs. There’s lots of fear in our community, fear that keeps us separated from one another.”

—Pete Kayes, Pacific Lumber blacksmith, 1976-91

Earth First! was committed to their Week of Outrage Against Maxxam, whether or not their message of forests and timber jobs forever was superimposed with images of mill worker George Alexander speaking through the bandages that covered his mutilated face. Greg King worried that the negative publicity for an act Earth First! didn’t commit would indeed distract attention away from the real issue: the long term liquidation of the last remaining virgin redwood forests of Northern California. Darryl Cherney, however, assured everyone, “We will be upholding the laws. It is Pacific Lumber that is breaking them.”¹ Beginning on Monday, May 18, Earth First! planned to conduct actions in several places specifically targeting Pacific Lumber operations, Maxxam offices, and related facilities.² The largest and most important of these was to be a multifaceted action on Pacific Lumber land in Humboldt County itself, targeting the Booths Run “All Species Grove” THP concurrently being contested by EPIC.³

In preparation for the demonstrations, on the day before a group of Earth First!ers attempted to block Pacific Lumber’s main haul route into All Species Grove, while a

¹ “Earth First Vows to Fight Timber Firm”, by Mike Geniella, *Santa Rosa Press Democrat*, May 17, 1987.

² “National Protest Targeting Maxxam Cutting of Redwoods”, Press Release, *Mendocino Commentary*, May 21, 1987.

³ “6 Arrested in PL Protest Near Carlotta”, by Betsy Hans, *Eureka Times-Standard*, May 19, 1987.

second crew, including Larry Evans, Mokai, Kurt Newman, and Darrell Sukovitzen, conducted a group “tree sit” 120-150 high on four three-by-six foot suspended wooden platforms up in the giant redwoods nearby. Only two platforms were successfully deployed, however. Mokai had retreated at the advice of the other sitters for logistical reasons, and instead watched his would-be fellow climbers ascending their trees through binoculars. Newman was able to climb his tree, but his platform was intercepted by P-L security who arrived very quickly. From the canopies, the sitters hung large 30-foot banners with slogans such as “Save the Redwoods” and “Stop Maxxam” which also included a blood colored skull and crossbones. The sitters stayed up for several hours until Humboldt County sheriffs arrived, at which time Evans and Sukovitzen surrendered. Newman, on the other hand, remained in place until a professional P-L climber, Dan Collings ascended to his position, at which time Newman surrendered also.⁴ The three tree sitters, three of their support people (Lynn Burchfield, Debra Jean Jorgenson, and Linda Villatore), and *Sacramento Weekly* reporter Tim Holt⁵ were arrested and spent two nights in the Humboldt County jail and faced fines of up to \$3000.⁶ They had collectively managed to remain in the trees for between 12 and 20 hours, but had hoped to remain longer to give the next day’s action “staying power”.⁷

As it turned out, the tree sits weren’t needed anyway. The next day, the show went on at the enormous P-L log deck at Carlotta nearby, attended by 125 Earth First!ers and their allies holding banners, chanting, and singing songs, led by Darryl Cherney.⁸ The tree spiking furor had brought larger than expected numbers of media representatives to the action, and they got a good look at Maxxam’s pillage and the Humboldt County sheriffs’ heavy handedness firsthand. One demonstrator was slightly injured when a disgruntled, unsympathetic P-L employee attempted to storm the protesters at the logging gate by ramming them with his pickup truck.⁹ A group of three women swarmed the log deck attempting to display huge banners there.¹⁰ Although the sheriffs were anticipating the action and managed to arrest Agnes Mansfield, Aster Phillipa, and Karen Pickett¹¹, they were distracted long enough for Bettina Garsen, Tierra Diane Piaz, and “Sally Bell”¹² to ascend the log deck with banners conveying messages calling for a halt to old growth logging.¹³ The sheriffs eventually arrested the second

⁴ “Earth First! Protests Maxxam Redwood Logging from California to New York City”, by Mokai, *Earth First! Journal*, Litha / June 21, 1987.

⁵ “Reporter Jailed in Humboldt”, by Tim Holt, *Country Activist*, June 1987.

⁶ Hans, May 19, 1987, op. cit.

⁷ “Maxxam-um Protests”, *EcoNews*, June 1987.

⁸ Harris, David, *The Last Stand: The War between Wall Street and Main Street over California’s Ancient Redwoods*, New York, NY, Random House, 1995, Pages 16-18.

⁹ *EcoNews*, June 1987, op. cit..

¹⁰ “Protest in the Trees”, by Mike Geniella, *Santa Rosa Press Democrat*, May 19, 1987.

¹¹ Mokai, Litha / June 21, 1987, op. cit.

¹² Hans, May 19, 1987, op. cit.

¹³ Mokai, Litha / June 21, 1987, op. cit.

group, and all six arrestees each spent a night in the county jail.¹⁴ Although the tree sit had been thwarted, the action turned out to be successful anyway, because P-L determined that it was in their short term interest not to haul any logs during the demonstration, and this nevertheless advanced Earth First!'s strategy beautifully.¹⁵

A protest also took place in at the Pacific Lumber sales office in Mill Valley, a small northern Bay Area town nestled at the base of Mt Tamalpais in the San Francisco Bay Area. Demonstrators glued 800 pounds of Douglass fir tree stumps in the entryway barring the front door to the facility on Shoreline Highway.¹⁶ Meanwhile three protesters, including Mill Valley carpenter Dan Zbozien, ascended the sixty foot decorative redwood clock tower that adorned the office and unfurled a banner reading "PACIFIC LUMBER STOP THE PLUNDER!" As P-L sales employees arrived for work, they noticed the demonstration unfolding and contacted Marin County Sheriff's Deputies, who arrived on the scene in minutes.¹⁷ Sheriff's deputies arrested five in all, including Zbozien, Helen Matthews, Brian Gaffney, Tim Richardson, and Tim Reck. They were charged with the misdemeanors of trespassing and vandalism.¹⁸ A hook and ladder truck from a local fire department was dispatched to extract the climbers from their perch.¹⁹ Of the three, Zbozien was the only arrestee, as the other two descended after being ordered to do so by the law enforcement agents. Zbozien, on the other hand, tied himself to the top of the tower²⁰, refusing to come down until a deputy ascended the raised fire truck ladder, at which point the activist traversed down the structure's other side only to be detained once he reached the ground.²¹ He declared, "We're the ones who are being treated like criminals, (but) it's the (CDF) that is not upholding the law".²² He was charged with resisting arrest. All five arrestees were released later that afternoon on their own recognizance.²³

Additional demonstrations happened elsewhere too. A small group of Earth First!ers protested the rubber stamping of Timber Harvest Plans (THPs), picketing peacefully, without incident at the California Department of Forestry (CDF) office in Santa Rosa.²⁴ Fifteen Los Angeles Earth First!ers held banners in front of the Maxxam controlled MCO offices, and Denise Conway-Mucha, dressed as Mother Earth, unsuccessfully tried

¹⁴ Geniella, May 19, 1987, op. cit.

¹⁵ "Tactical Thoughts on the Maxxam Protests", by Socratrees, *Earth First! Journal*, Litha / June 21, 1987 ("Socratrees" is actually Darryl Cherney).

¹⁶ Geniella, May 19, 1987, op. cit.

¹⁷ "Tree Stumps Dumped at Lumber Firm's Door", by John Todd, *San Francisco Examiner*, May 19, 1987.

¹⁸ "5 Arrested in Marin in Protest of Logging", by Dale Champion and Erik Ingram, *San Francisco Chronicle*, May 19, 1987.

¹⁹ Todd, May 19, 1987, op. cit.

²⁰ Champion and Ingram, May 19, 1987, op. cit.

²¹ Geniella, May 19, 1987, op. cit.

²² Todd, May 19, 1987, op. cit.

²³ Geniella, May 19, 1987, op. cit.

²⁴ Mokai, Litha / June 21, 1987, op. cit.

to carry a baby Sequoia into the office, though no arrests took place.²⁵ In Houston, Texas, fifteen Earth First!ers (including a disgruntled lumberjack named Bob Gartner—who informed passersby that “Hurwitz was destroying America!”) demonstrated in front of Maxxam headquarters accompanied by cardboard redwoods and living cedars. Lisa Henderson, Sedge Simmons, and Jean Crawford tried to deliver a list of demands to Hurwitz’s office, but were stopped by security, so the demonstrators held a mock tribunal instead and found a dummy facsimile of Charles Hurwitz “Guilty of Crimes of Nature.”²⁶

Elsewhere the brand new New York City chapter of Earth First! held its inaugural action by marching over to the offices of DBL. Forty activists had attempted to demonstrate at Maxxam’s old headquarters only to find that their offices there had been vacated only two weeks previously.²⁷ They were joined by members of Greenpeace, the Green Party, Rainforest Action Network, Big Mountain Support Community, and the previously existing Long Island Chapter of Earth First!²⁸

In Washington DC, Earth First!ers leafleted at the offices of the Securities and Exchange Commission, and arranged for a formal meeting with an SEC representative to discuss the Maxxam takeover of P-L.²⁹

In spite of the heavy police presence, a mere eighteen arrests took place in total, all of them in northwestern California, and all of the demonstrations were nonviolent. In response to all of the arrests Greg King declared, “We should be looked at as heroes, not as criminals. The action today is just the beginning. We want to continue the protest throughout the summer.”³⁰

At least one Pacific Lumber mill worker, speaking anonymously, agreed and reacted to the week of outrage against Maxxam somewhat favorably, albeit cautiously, exclaiming:

“Everybody knows (the new ownership) are doing too much, but no one feels free to say too much of anything. If you’re working here, you’re stuck in the middle...The mill workers’ involvement is more than just apathy (however)...If (the demonstrators) had been here (a year ago) when we needed them we would gladly be on their side.”³¹

Earth First! was not above self criticism. Darryl Cherney very candidly assessed the actions in the pages of the *Earth First! Journal*, citing both positive and negative aspects of the week of outrage. On the plus side, the action was publicized in the local press and on every major news network in California, the “Today Show”, the *San*

²⁵ “Los Angeles”, by Peter Barvier, *Earth First! Journal*, Litha / June 21, 1987.

²⁶ “Houston”, by Jean Crawford, *Earth First! Journal*, Litha / June 21, 1987.

²⁷ *EcoNews*, June 1987, op. cit..

²⁸ “New York City”, by Matt Meyers, *Earth First! Journal*, Litha / June 21, 1987.

²⁹ *EcoNews*, June 1987, op. cit..

³⁰ Hans, May 19, 1987, op. cit.

³¹ Geniella, May 19, 1987, op. cit.

Francisco Chronicle, the *Los Angeles Times*, and the *Houston Post*, which also featured accounts of Hurwitz's past battles with celebrities such as Frank Sinatra and Susan Marx. This was also the first time that Earth First! attempted to carry out coordinated actions in seven widespread locations, which they did successfully. They closed Maxxam offices in three locations. They stayed "on message" mostly deflecting the attempted distraction by L-P and the Corporate Press on the tree spiking controversy. They carried out their actions using affinity groups, which allowed for decentralized yet coordinated actions and support (including groups for media, video, reconnaissance, tree climbers, jail support, telephone communications, drivers, legal, entertainment, two-way radio operators, fundraisers, base camp coordinators, and more), and they were able to organize all of this in two weeks. And, as these were the days long before activists had access to cellphones or the Internet, they were able to maintain telephone communications by stationing support people at payphones and in offices to keep each affinity group networking with each other.³²

Also positive was the fact that the rallies, which also included several hundred demonstrators at the Hydesville action, drew in a diverse group of supporters, who demonstrated against Maxxam for a variety of reasons. Some were there to protect wildlife; others to ensure the long term employment of timber workers. One such demonstrator, Dave Ziegler, himself a woodworker, had attended the action after seeing a flier announcing it on a telephone pole in Arcata. Ziegler had worked for the Forest Service for ten years marking diseased timber in salvage sales, and he loved Humboldt County and working in the woods. He was by no means opposed to logging, but he believed that an outside corporation, like Maxxam, having control over local resources was a recipe for disaster and demonstrated to show his convictions. He immediately felt at home in Earth First! after the week of outrage.³³ No doubt many citizens concerned with the destruction of the old growth redwoods looked favorably upon Earth First! in spite of the negative publicity created by L-P's linking of the Cloverdale mill accident to the radical environmentalists.

Still, every successful action had its weak points, and Cherney was not afraid to discuss these also. The tree spiking announcement was unexpected, and though it was handled well by Earth First!ers on the North Coast, it still distracted attention. Virtually every major story on the week of outrage, both during the lead-up and the aftermath mentioned the incident.³⁴ Anticipation of similar corporate manufactured distractions in the future was imperative. Also, a potentially violent situation, instigated by the disgruntled employee who attempted to run down demonstrators in his pickup truck, almost got out of control when Earth First!ers responded by shouting at police who were present but didn't intervene. Finally, although the tree sitters were

³² Socratrees, Litha / June 21, 1987, op. cit.

³³ "Dave Ziegler: One of 40-100 Protesters at the Maxxam Log Deck in Fortuna", Interviewed by Beth Bosk, *New Settler Interview*, Issue #21, June 1987.

³⁴ Hans, May 19, 1987, op. cit.; Todd, May 19, 1987, op. cit.; "Arrests Over Tree Cutting", AP Wire, Ukiah Daily Journal, May 19, 1987

mostly successful, they were somewhat careless with the deployment of their equipment, opening themselves up to being arrested, which happened and perhaps could have been avoided.³⁵

Apparently, Earth First!'s efforts also grabbed the attention of the politicians in Sacramento (California's state capitol). Shortly after the Week of Outrage, State Senator Barry Keene had proposed a measure that would limit rapid increases in timber harvesting, at least in theory. SB1641 would limit increases in the acreage cut in single watersheds to no more than 20 percent above the average of the preceding five years, unless the harvesters could pass strict tests of environmental protection in public hearings. A Senate committee approved the bill on May 18, but amended it to allow Pacific Lumber specifically to base their limits on the previous three years cut as opposed to five, and also exempted any timber company whose increased cut was enacted to facilitate the repayment of estate taxes. Amendments also doubled the existing penalties for tree spiking that resulted in body injury from three to six years in prison.³⁶ The bill passed through the California State Senate by a vote of 22-16.³⁷

The bill received the support of timber unions and commercial fishermen, but the opposition of Corporate Timber.³⁸ It was also criticized by many environmentalists, because they considered the bill's wording to be weak and it included a provision allowing the CDF Director to exempt THPs at their discretion.³⁹ The Sierra Club's North Coast chapter originally opposed the bill after the amendment, but then reversed itself a month later calling the measure, "The best opportunity we have in the current session of the legislature to address the problems of forest management in northwestern California."⁴⁰ Furthermore, Greg King was convinced that the primary motivation behind it was an attempt by Keene to "get back at" Maxxam for funding his Republican opponent in the previous year's election.⁴¹ On the other hand, CDF director Jerry Partain—who had run against Dan Hauser in the same election—denounced the bill, accusing Keene of "shaking down" the timber industry.⁴² Still, even this weak bill wouldn't have been considered had Earth First! not made a stand against Maxxam.⁴³

* * * * *

Less than a month after the Week of Outrage, three unidentified Earth First!ers discovered and then deflagged five miles of an attempted logging road through the Headwaters Forest. According to their account, the flags began at the end of a road

³⁵ Socratrees, Litha / June 21, 1987, op. cit.

³⁶ "Victory for Keene's Timber Bill", *UPI Wire, Eureka Times-Standard*, May 19, 1987.

³⁷ "Two Strokes for Old Growth", By Andy Alm, *EcoNews*, July 1987.

³⁸ "Slow Clearcutting Bill Amended and Defended", by Andy Alm, *EcoNews*, June 1987.

³⁹ "Civil Disobedience: His Key to Survival", by Enoch Ibarra, *Humboldt Beacon and Fortuna Advance*, May 13, 1987.

⁴⁰ "Two Strokes for Old Growth", By Andy Alm, *EcoNews*, July 1987.

⁴¹ Ibarra, May 13, 1987., op. cit.

⁴² "Slow Clearcutting Bill Amended and Defended", by Andy Alm, *EcoNews*, June 1987.

⁴³ "Liquidating the Last Redwood Wilderness", by Greg King, *Earth First! Journal*, Lughnasadh / August 1, 1987.

near the highest point of the Little South Fork of the Elk River, about 1,700 feet above sea level; their course then wound through the southern portion of THP 240; and then subsequently ran northwards into the THP, then continued along the Little South Fork's northeastern ridge into the heart of Headwaters, where there were no proposed logging plans. The road then forked, headed north into the high ridges, and southwest toward the Little South Fork drainage. Although the flagging ended before reaching the stream, the watercourse itself was flagged far beyond the boundaries of *any* existing THP. It was apparent that the CDF was not only approving THPs based on dubious criteria, they weren't even doing a thorough job of policing them.⁴⁴

As a result of this discovery, EPIC sued Pacific Lumber and the CDF for THPs 1-87-230, 240, and 241HUM. The case argued that the THPs violated the requirements set forth by the Z'berg-Nejedly Forest Practices Act and the California Environmental Quality Act, and asked for a Temporary Restraining Order against the harvesting of logs there. Three Humboldt County Superior Court judges and one from nearby Trinity County all disqualified themselves from the case citing "conflicts of interest", and the fifth judge, Frank Petersen of Del Norte County took up the case.⁴⁵ Pacific Lumber's attorney, Jared Carter, charged that EPIC's request for a TRO was invalid, because—in spite of the clear and obvious evidence that P-L was not even complying with the stipulations of their THPs, let alone the law—the data had been obtained by an illegal trespass onto "private property". EPIC requested that they be allowed to inspect the THPs themselves, but both P-L and the CDF balked at this request.⁴⁶

On July 9, Petersen ruled in favor of P-L, declaring, "The court does not think (EPIC) has made a sufficient showing or that the law allows the general public to go upon private property for an on-site inspection," but he added that the denial was "without prejudice" which opened the door for the issue to be revisited.⁴⁷ "Woods" declared, "We believe the judge's ruling is quite unfair. It will prevent us from introducing some important evidence, but we still have a strong case."⁴⁸ EPIC's attorney Jay Moller had agreed, arguing:

"(The THP process has been rendered) so unfair, insipid and irrelevant that it violates EPIC's constitutional due process rights [and] the California Environmental Quality Act...The Forest Practices Rules and Regulations...have been amended and altered to an extent which now renders [their] certification a nullity...EPIC contends the last ten years of amendments at the behest of the timber industry has finally rendered the THP process a bad joke."⁴⁹

⁴⁴ King, Lughnasadh / August 1, 1987, op. cit.

⁴⁵ "Two Strokes for Old Growth", By Andy Alm, *EcoNews*, July 1987.

⁴⁶ "Judge Sides with PL and CDF", by Marie Gravelle, *Eureka Times-Standard*, July 10, 1987.

⁴⁷ Gravelle, July 10, 1987, op. cit.

⁴⁸ "P-L, Irked by Dancers, Goes to Court," by Andy Alm, *EcoNews*, August 1987.

⁴⁹ King, Lughnasadh / August 1, 1987, op. cit.

The Judge also granted the environmentalists one other significant concession. Petersen agreed that evidence *questioning the CDFs methodology* was admissible in court, stating that EPIC could indeed question the agencies motives for approval and discuss whether they had “abused their discretion,” which opened the door to further legal scrutiny by citizen watchdog groups such as EPIC to expose what they perceived to be significant loopholes in both CEQA and Z’berg-Nejedly.⁵⁰ Pacific Lumber had won a battle but was exposed as being quite vulnerable to losing the war.

Quickly P-L management fell back to bolster their defenses. California Deputy Attorney General Bruce Klafter representing the CDF spun the ruling as a victory, stating, “This is what we were hopeful would happen...We’ll have to prove we had enough evidence to reach the conclusion. We don’t have to prove that our judgment was right... (the public) doesn’t have the right to inspect. Errors were admitted and we are correcting those.” However, Klafter’s statement omitted the fact that Judge Petersen had noted the “errors” himself, including the lack of information in one THP about how the logs would be skidded or loaded from the logging area, and admissions by both P-L and the CDF that a legally required response to challenges from environmentalists were omitted in the second plan.⁵¹ P-L’s attorney, Jared Carter, attempted to dodge the issue by pleading incompetence. Carter stated, “there is an error in the manner in which (THP) 230 was handled,” and that THP 240 “was incomplete in a material way...The THPs should have been denied” by CDF. At the latter’s urging, P-L withdrew the contested THPs, at least temporarily. In response, EPIC withdrew their request for a TRO at least until the matter could be settled legally.⁵² However, Greg King was unconvinced that Maxxam was actually copping to having broken the law in collusion with the CDF, declaring:

“PL’s admission of illegalities appeared to be a tactical move to remove 230 and 240 from the lawsuit. The company submitted a writ that agreed to an injunction to stop logging until CDF received amendments for the plans that P-L contends would bring them into compliance with state legislation.”⁵³

EPIC didn’t stand down completely, however. That same month they filed challenges to five other Pacific Lumber THPs. THP 1-87-422 proposed logging 251 acres of residual old growth in the Van Duzan river tributary Grizzly Creek. Pacific Lumber already had three active logging plans there comprising as much as 20 percent of the watershed. In this instance, EPIC was joined by a local watershed association called “Friends of the Van Duzan” who were concerned about erosion and sediment discharge.

⁵⁰ Gravelle, July 10, 1987, op. cit.

⁵¹ Gravelle, July 10, 1987, op. cit.

⁵² “Two Forestry Employees Testify at PL Trial They Felt Intimidated for Questioning Harvest Plans”, by Marie Gravelle, *Eureka Times-Standard*, September 4, 1987.

⁵³ King, Lughnasadh / August 1, 1987, op. cit.

EPIC also filed challenges to THP 1-87-359, a 138 acre “seed tree removal” (practically a clear-cut) cut in Jordan Creek; 1-87-390, an 81 acre clearcut proposed for Beer Bottle Creek in the headwaters of Bear River; 1-87-323, a 263 clearcut of old growth near Lawrence and Yager Creeks near the site of the attempted tree sits during the Week of Outrage; and 1-87-427, a 385 partial cut of old growth at Elk Head Springs. All of these logging plans proposed clearcutting, old growth redwood logging, or both.⁵⁴

Due to EPIC’s diligence, the door to challenging Corporate Timber’s THPs through the review process had been cracked open, and Corporate Timber was determined to slam it shut again as tightly as possible. Maxxam and its agents were determined as possible to prevent the public from witnessing potential violations of Z’berg Nejedly, no doubt in hopes that they could operate under the cover of darkness, but even these efforts backfired, sometimes literally. In one particularly bizarre incident, while *CBS News* was interviewing Greg King on the boundary of the P-L’s clearcut of All Species Grove, four shotgun blasts rang out to the north. Then King noticed the glint of light reflecting off a pair of binoculars. Quickly, the media crew and King spied an unmarked white pickup truck speeding away from the direction of the gunfire on one of the logging roads within the logging site.⁵⁵ There was but one P-L employee who drove a vehicle of that particular color (all other P-L employees drove orange vehicles): company security chief Carl Anderson.⁵⁶ A few minutes later, four shots rang out much closer, this time to the south. Again, the group quickly spotted the same white pickup, and again it was near the location of the gunfire. King and the media crew hightailed it out of there. Then King contacted Robert Stephens and David Galitz to ask if they knew anything about the incident. Both spokesmen disclaimed any knowledge of the shooting, and Galitz declared that P-L’s security carried no such weapons.⁵⁷

One month later, as the thirteen Humboldt County arrestees from the Week of Outrage made assembled at the Fortuna Courthouse to face judgment for their criminal charges, P-L legal representatives served each of them with subpoenas for civil charges as well.⁵⁸ Maxxam accused each of the defendants with “(malicious activity) to oppress (sic) Maxxam / Pacific Lumber”, claiming that the defendants “‘willfully conspired to commit trespass’.”⁵⁹ Maxxam also named 100 Jane and John Does—which allowed other activists to be specifically identified and added to list of charged parties—bringing the total number of defendants to 113, about the number that showed up in Carlotta on May 18.⁶⁰ Dave Galitz explained the legal dragnet as response to the com-

⁵⁴ “Watchdogs Stalk P-L”, by Jude Wait, *EcoNews*, August 1987.

⁵⁵ King, Lughnasadh / August 1, 1987, op. cit.

⁵⁶ Harris, op. cit., pages 192-93.

⁵⁷ King, Lughnasadh / August 1, 1987, op. cit.

⁵⁸ “Pacific Lumber Sues Earth First! Members”, by Marie Gravelle, *Eureka Times-Standard*, July 22, 1987.

⁵⁹ “Maxxam Sues Protesters & Sally Bell”, by Darryl Cherney, *Country Activist*, August 1987 and *Earth First! Journal*, Mabon / September 23, 1987.

⁶⁰ “Tame the Savage Timber Beast”, by Bob Martel, *Country Activist*, September 1987.

pany having shut down its Carlotta facility on the day of the demonstration insisting, “We incurred extra costs to protect our property, and I believe we are entitled to seek legal recourse.”⁶¹ The timing of the civil charges was highly suspect, and probably had more to do with the recent revelations over the contested THPs than one day’s lost production, which cost the billion dollar Texas conglomerate \$42,000, a drop in the bucket to them, but probably at least double the annual wages earned by any of the thirteen arrestees.⁶² Of the thirteen, the District Attorney charged nine, and all planned to plead “not guilty.” The attorney for some of the group quickly identified the civil charges as “a tactic to coerce people to plead guilty and stay away from P-L.” He indicated that they might conceivably use the “necessity defense” charging the company with greater crimes as justification for their relatively minor offense.⁶³

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Earth First!, opted to use direct action to prevent further cutting in THP 1-87-427HUM (All Species Grove). Greg King and fellow Earth First!er “Jane Cope” began a tree sit there that would last five days.⁶⁴ Greg King and another Earth First!er conducted a midnight reconnaissance of the targeted grove on August 9, 1987, just over two weeks before the action. They chose a site where a clearcut bordered on a standing old growth grove, which—King felt—would provide an excellent contrast and an ideal location for a banner (which would in turn provide an excellent media oriented photo-op). Assisted by a group of thirteen supporters, they carried approximately 500 pounds of climbing gear, food, and clothing eight miles to base camp. Using CB radio to coordinate their actions, the crew selected two eight-foot diameter trees facing the clearcuts to the north. After a second group of supporters arrived at sunset, the entire group began to establish the two platforms which would support King and Cope for the foreseeable future.⁶⁵

Establishing a tree sitting platform was no simple task and the work was slow and measured. The platforms were positioned on the trunk, because the brittle redwood branches and limbs could break far too easily.⁶⁶ The support crew had to first ready the platforms by using a tandem system to spur climb the trees. Their gear consisted of rock climbing equipment (carabiners and rope, mostly). This work began at around 8 PM. Eight hours later, the crews had equipped King’s platform complete with girth hitches for the hanging of supplies, which were hoisted up to the sitters using a pulley system. Jane’s platform, being raised concurrently was completed an hour later.⁶⁷ Such a lot

⁶¹ “Pacific Lumber Sues Earth First! Members”, by Marie Gravelle, *Eureka Times-Standard*, July 22, 1987.

⁶² Cherney, August 1987 and Mabon / September 23, 1987, op. cit.

⁶³ “Pacific Lumber Sues Earth First! Members”, by Marie Gravelle, *Eureka Times-Standard*, July 22, 1987.

⁶⁴ “Tree Perching, Part 2”, Jane Cope Interviewed by Beth Bosk, *New Settler Interview*, Issue #26, November 1987.

⁶⁵ “Redwood Tree Climbers”, by Greg King, *Earth First! Journal*, Mabon / September 23, 1987.

⁶⁶ Bosk, November 1987, op. cit.

⁶⁷ King, Mabon / September 23, 1987, op. cit.

of effort and risk of arrest (for misdemeanor trespassing) might have seemed wasteful, but not weighted against what the Earth First!ers considered a much bigger set of crimes being committed by Maxxam, and the fact that they had exhausted all legal and political remedies available to them thus far to halt the clearcutting of All Species Grove.⁶⁸

Once completed, their set up was deceptively simple. From his platform 130 feet up in the air, Greg King could see all the way to Eureka and the Pacific Ocean beyond. Less than a quarter mile away, P-L loggers were busy clearcutting old growth redwoods in a nearby grove.⁶⁹ Hanging here and there in the tree, near King's platform were his sleeping bag, blankets, ropes, extra clothing, food, and a bunch of climbing equipment.⁷⁰ His gear was placed partly out of convenience (due to the limited space) and functionality (to balance the platforms if necessary).⁷¹ Jane Cope was perched similarly in nearby tree, fifty feet away. A rope which the sitters could traverse in order to converse in close quarters should they be spotted by P-L security or loggers, connected the two platforms.⁷² From Greg King's platform hung a huge banner reading "FREE THE REDWOODS" and from Jane Cope's a similarly hung banner declared, "THIS TREE HAS A JOB – HURWITZ OUT OF HUMBOLDT". Both planned to stay indefinitely if necessary⁷³ and could be resupplied by their ground crews, assuming they could make it to the base of the occupied trees consistently unmolested.⁷⁴

Tree sitting, even if just for one day, was an austere existence, even by Earth First! standards. Greg King recalls that the food consisted of a lot of fruit, rice cakes, crackers, cheese, four cans of sardines (for the protein), carrots, and bread...essentially anything that was compact and easily transported. He brought far more clothes than he ultimately needed, discovering that a single change was sufficient. King answered the questions probably on just about everybody's mind when he revealed that tree sitters usually urinated off the side of the platform (taking care not to do so if anyone were in range below) and defecated in a paper bag, which they in turn would then fold up and discard over the side, as such waste material was biodegradable and would compose in a matter of days in the dense redwood ecosystem. Special care was taken to choose a separate and distinct location each time, which was actually done out of respect for the timber workers, as accumulated leavings would likely decompose much more slowly and become a potential hidden booby trap.⁷⁵

⁶⁸ "Live from 150 Feet High", Greg King Interviewed by Socratrees, *Country Activist*, September 1987.

⁶⁹ "Tree Perching, Part 1", Greg King Interviewed by Crawdad Nelson, *New Settler Interview*, Issue #24, September 1987.

⁷⁰ Socratrees, September 1987, op. cit.

⁷¹ Bosk, November 1987, op. cit.

⁷² Socratrees, September 1987, op. cit.

⁷³ Socratrees, September 1987, op. cit.

⁷⁴ King, Mabon / September 23, 1987, op. cit.

⁷⁵ Crawdad Nelson, September 1987, op. cit.

On the other hand, the experience was also richly rewarding. From her tree, Jane Cope could almost literally drink in the entire experience of the old growth forest, which she later described vividly. She noted that time was no longer regulated by clocks, but by the rising and setting of the sun. The pace of life seemed much slower and yet fuller. “Noisy human presence in the forest sends away the wildlife you would otherwise see,” she later recalled. Although she and King didn’t visually observe nearly as much wildlife as they had originally expected, they still witnessed crows, nuthatches, and an occasional woodpecker. The crows were seen mostly flying by, and the smaller birds were watched eating in the redwood canopy. Far more numerous were the insects, including several species of ants, spiders, and beetles. Cope noticed an intense, intricate network of travel ways that the insects used through the furrows and sinews of the bark of the 250 giant redwoods and along the branches to make their way out to the greenery. Considering the sheer magnitude of the tree’s height compared to the relatively miniscule insects, the distance travelled from the ground and back was staggering indeed. To get yet another view, she climbed, by hand, further up the tree, halfway to the crown, about 190 feet aboveground. Cope was quite familiar with the scents of the forest, having been a forest preservation activist for five years already, but she was struck by the contrast between the earthy, soil dominated scents normally experienced on the forest floor and the much less commonly experienced needle and foliage heavy smells up in the forest canopy. She also noted how much fresher the air was up there.⁷⁶

For three days they were undetected and left alone by Maxxam, but on the morning of August 31, the fourth day, they were discovered, when a logger working nearby noticed King’s banner and ran over to the perched trees. “You guys are crazy!” he shouted. He was soon joined by his crew who were motivated as much by curiosity as they were by anything else, but shortly after that, however, “peer pressure and managerial oppression” forced the crew back to their task of clearcutting the nearby woods. King and Cope did draw attention from three P-L security crew members and two Humboldt County sheriffs who issued the inevitable proclamation that the tree sitters were trespassing, to which King responded by declaring that Maxxam “had abrogated its right to private property via the destruction of same”. Cope refused to descend from her tree until Maxxam ended its old growth logging. Carl Anderson, no doubt out of pride as much as a sense of duty, grew impatient and dispatched climber Dan Collings to remove King’s banner, which he did. However, Greg King had a surprise for Anderson and Collings, and, no sooner had the latter removed the first banner, when Greg King unfurled a second, extra banner he had kept stashed for just such a contingency, which read, “2000 YEARD OLD – RESPECT YOUR ELDERS.”⁷⁷

“Climber Dan”—as he has become known—is approximately the same age as King and Cope (who were in their late twenties at the time), and being of the same genera-

⁷⁶ Bosk, November 1987, op. cit.

⁷⁷ King, Mabon / September 23, 1987, op. cit.

tion, naturally shared some of the tree sitter's interests and cultural framework. Jane Cope even regarded him as something akin to a brother. Collings was charged with removing the platforms from the trees and was always watching for an opportunity to do so.⁷⁸ He was an accomplished athlete and could climb trees in a third of the time it had taken the Earth First!ers to set up the platforms in the first place.⁷⁹ He was also a third generation logger, and his grandfather had worked for the old Pacific Lumber. He also coached little league baseball in Rio Dell when he wasn't climbing trees professionally. Collings' job, in fact, usually involved working high up in the forest canopy, removing the crowns of the big trees ready to be harvested, to keep the wood from splintering as the huge trees were felled. He received an hourly rate, plus piece-work for each tree climbed. However, in this instance, he ascended the tree gratis, though he had been offered \$100 from a private individual if he was successful in removing the tree platforms⁸⁰ (which he wasn't).⁸¹ Collings was by no means an Earth First!er, but he quietly admitted he felt that Charles Hurwitz's accelerated at least a potential threat to his job security. In fact, he agreed that clearcutting was ugly and posed a problem.⁸²

Indeed, there was a lot of common ground established between the tree sitters and the loggers. Everyone, even the sheriffs, seemed to agree that Maxxam's clearcutting looked extremely ugly, leaving no underbrush, trees, or biomass at all. The workers were "funny, witty ... kind of loud and obnoxious", though Greg King surmised that this was partly just an act. While some of the loggers were hostile, others were quite friendly and agreed that clearcutting was wrong—albeit for reasons (economic) other than those expressed by the tree sitters (ecological). Practically everyone disliked Charles Hurwitz intensely, and one logger agreed that they shouldn't have been cutting old growth. They didn't see eye-to-eye on every issue, but both factions gained respect for the other, even if they couldn't always agree.⁸³

Jane Cope assumed that most of the loggers felt positively about their work, experiencing something of an adrenaline rush as they had their way with the big trees, and that was accompanied by the expected back-slapping and camaraderie typical of male bonding. There is a myth and machismo inherent in the culture of logging, and as loggers, she could see how they considered themselves "real men". Yet, she also sensed that the loggers had a great deal of respect for the courage of the Earth First!ers convictions, and she heard as many positive comments as she heard negative ones. She recalls back-and-forth dialog between herself and the workers, including the general talking points issued by corporate timber, dutifully repeated by the (non-union)

⁷⁸ Bosk, November 1987, op. cit.

⁷⁹ Crawdad Nelson, September 1987, op. cit.

⁸⁰ "Tree Climber Dan Collings: His Story", interviewed by Crawdad Nelson, *New Settler Interview*, Issue #26, 1987.

⁸¹ King, Mabon / September 23, 1987, op. cit.

⁸² Crawdad Nelson, Issue #26, 1987, op. cit.

⁸³ Crawdad Nelson, September 1987, op. cit.

workers, even though, in her estimation, they probably only halfheartedly believed the rhetoric themselves:

“The trees are rotting.”

“Of course they are rotting. That’s what they’re supposed to do.”

“This is private property.”

“Well, property is theft. There are some things that no man can own, and a forest is one of them...”⁸⁴

Getting past the standard arguments on both sides, Earth First!ers and P-L workers discussed where they liked to fish, where they spent their leisure time with their families, and how logging pays the bills. Cope agreed that the workers had a right to make a living, but that it could be done much less invasively. She found herself saying to them, “You guys have got to fight for your right to make a living in an ecologically sound way and to make it over time and to leave a resource here your sons and daughters can also log if they want to.”⁸⁵ Greg King agreed that the money taxpayers paid for STLR expansion Redwood National Park—seventy thousand acres of cut over land—could have instead been spent purchasing Pacific Lumber and using the money to operate the company sustainably again, preserving much higher quality wilderness, and compensating the employees fairly.⁸⁶ He also declared:

I’d like to tell them that I empathize deeply with them. I did manual labor putting myself through junior college. I worked at Safeway for five years, did other things—dishwashing. Especially I can empathize with them being in the grasp of the big economic giant that comes in and steals the resources. They come in and monopolize hundreds of thousands of acres of timberland. They come in and force the people to work or practically starve, because there’s nothing else going on up here. It disturbs me a lot that if we are successful in saving the grove, it will put people out of work. But if Maxxam is allowed to go on, then these people will be out of work in five to eight years anyway...Why not do something now to save the forest, and to save most of the jobs? Why not go into a sustained yield second-growth cycle?...I think the PALCO employees should right now go out on strike. Shut down the mill, tell Hurwitz and his gang of thugs, ‘We’re taking over.’ Say, ‘We want some guarantees, we want sustained yield.’⁸⁷

For his part, Climber Dan Collings was not willing to go on strike, though he admitted that this had more to do with his lack of conviction to buck the system, and his belief that he didn’t think he could make a difference, so he just did his job. Collings agreed that “nobody was a big Hurwitz fan” out in the woods, but having been deeply

⁸⁴ Bosk, November 1987, op. cit.

⁸⁵ Bosk, November 1987, op. cit.

⁸⁶ Crawdad Nelson, September 1987, op. cit.

⁸⁷ Crawdad Nelson, September 1987, op. cit.

steeped in the “free enterprise” rhetoric of American capitalism, like most workers, he quickly argued that “Hurwitz could do what he wished with his property.” Collings also offered that, although Pacific Lumber had always taken good care of its employees, since Maxxam had taken over he was earning more money and receiving greater benefits than he’d ever done previously. Still he knew full well that Maxxam had stated that they could only guarantee these benefits for three years. He also questioned Maxxam’s debt servicing strategy—and that this opened Hurwitz up to pressure from environmentalists. He agreed that a slower rate of cutting was more desirable than Hurwitz’s current cut-and-run clearcutting, which he conceded was unsustainable. Collings desired to retire logging, and wanted to see at least some of Pacific Lumber’s old growth preserved. Apparently beneath the veneer of being the good soldier, Collings was capable of independent thought, and his deductions logically led him to question some of the very convictions he claimed to uphold.⁸⁸ As a result, the sitters developed concern for Collings and his fellow workers, noting that Maxxam was literally stealing their life’s blood slowly.⁸⁹

* * * * *

Meanwhile, Darryl Cherney was by no means idle. He invited Charles Hurwitz to debate him publicly in an open letter to the Maxxam CEO, published in the *Country Activist* (which was then mailed to Hurwitz). Hurwitz didn’t respond, though shortly afterwards, a copy of that issue of the *Activist* was found returned to the editors torn in half.⁹⁰ When he wasn’t contacting every media outlet on the west coast between the Canadian border and Mexico alerting them about the tree sit, he was doing what he could to organize concerned citizens to wrestle the CDF into accountability. Hoping to further expose the agency’s apparently callous disregard for the spirit of the law, he organized a “mill in” at the Fortuna office of the CDF for the August 31.⁹¹

On that day, fifty demonstrators assembled and demanded copies of hundreds of THPs, ostensibly attempting to “clog the system” and demonstrate that the CDF was not seriously prepared to deal with the public should they actually exercise their rights under the letter and spirit of Z’berg Nejedly.⁹² In fact, the actual goal of the protest was to publicize the deficiencies exposed by EPIC in June and gather additional information that could be used to build a legal case against the agency. The CDF moved hastily to counteract the attempted populist uprising however, and “made special accommodations that (were) not normally available,” according to Cherney. They placed a table outside the office at the front door and locked all other entrances, not allowing

⁸⁸ Crawdad Nelson, Issue #26, 1987, op. cit.

⁸⁹ Bosk, November 1987, op. cit.

⁹⁰ “Lost a Bet”, by Darryl Cherney, *Country Activist*, September 1987. (The bet was with editor Ruthanne Cecil, but the circumstances of that bet were not described. Cecil and her coeditor, Bob Martel were good friends with Cherney also, and longtime labor and environmental activists).

⁹¹ “Rubber Stamp War”, by Darryl Cherney, *Country Activist*, December 1987.

⁹² “Mill-in Fails to Achieve Goal; Forestry Officials Keep Up With Earth First Request for Plans”, by Marie Gravelle, *Eureka Times-Standard*, September 2, 1987.

the public to enter the building. A representative staffed the table while a pair of clerks did their best to answer the requests from within.⁹³

Pacific Lumber's official stance on the tree sit and the mill in, at least initially, was to begrudgingly ride them out. David Galitz announced that logging crews would continue to cut around the tree sitters, logging about 10 to 20 trees per day, and would continue to do so until the pair descended. Rather than show any weakness however, Galitz also proclaimed, "We're going to press charges. That I can assure you."⁹⁴ John Campbell was no less direct, declaring that the tree sits had removed any chance that the company would withdraw its civil suits against the 13 arrestees from May 17-18 and the 100 or so "John Does." "We were considering giving them some relief next week, but they have continued the same activity, and we definitely plan to prosecute now...we'll consider their safety, but we'll continue to cut," declared the frustrated executive.⁹⁵

Greg King responded that he expected to be charged for his and Cope's actions, but that Maxxam was "breaking laws left and right by cutting its old growth," and would use that argument in his defense. Earth First!ers established another, simultaneous tree sit on September 3rd, complete with a banner which read "PACIFIC LUMBER STOP THE PLUNDER: Earth First!". This tree-sit was mainly for show however, because it took place on public land just outside of Scotia, where they would be visible by the townsfolk (as well as John Campbell), and it lasted until the late afternoon, before the sitters voluntarily stood down.⁹⁶

* * * * *

At the same time, the debate over who was breaking what law was currently being deliberated nearby in Eureka. EPIC and the CDF squared off in court over the next few days over the agency's questionable approval of P-L THPs 230, 240, and 241, with Frank Petersen again presiding. Jay Moller again represented EPIC, but he wasn't alone. EPIC's other attorney, Thomas Lippe had once served as one of the many "consiglieres" of Corporate Timber, but he had switched sides and was now on the side of the environmentalists. "Our general desire is show the information vacuum CDF is operating with," argued Lippe on September 2, the first day of the trial. He charged the CDF with failure to assess the cumulative impacts of logging on wildlife in the contested forest stands affected by the THPs. Local CDF resource manager Len Theiss disputed Lippe's charges and declared that the three plans, "showed no significant habitat loss." Jared Carter responded arguing, "The question of whether Theiss is right or wrong in making his decision is not at issue in the case...There are two issues: whether CDF followed California environmental laws, and whether final approval of the plans can be supported by evidence already in the CDF reports."

⁹³ Gravelle, September 2, 1987, op. cit.

⁹⁴ "Protesters Take to the Trees", *Eureka Times-Standard*, September 3, 1987.

⁹⁵ "Protesters Remain Perched in Trees", by Marie Gravelle, *Eureka Times-Standard*, September 4, 1987.

⁹⁶ Gravelle, September 4, 1987, op. cit.

The judge agreed, and denied EPIC the chance to call expert witnesses on wildlife and soil characteristics to demonstrate the wrongness of the CDF's decisions, declaring quite candidly, "I'm not going to open a Pandora's Box," which actually spoke volumes about the open secret that the CDF's defense rested upon very flimsy assertions.⁹⁷ EPIC responded by filing another lawsuit against P-L, CDF, and Maxxam, charging that they violated the Z'berg-Nejedly Forest Practices Act, the California Environmental Quality Act (CEQA), the Federal Porter-Cologne Water Quality Act, the State Bagley-Keene Open Meeting Act, and the Due Process and Equal Protection clauses of the California and US Constitutions. The lawsuit against the CDF was the fourth such action against the agency's THP process, which EPIC maintained was a "rubber stamp" for Corporate Timber and a violation of the spirit of Z'berg-Nejedly.⁹⁸

* * * * *

By the evening of the fifth day of King's and Cope's still existing tree sit, Pacific Lumber assigned a permanent security detail to watch over the trees and the loggers' equipment.⁹⁹ On the sixth day (September 2), the workers (under orders from Maxxam) made a huge showing of force. A dozen P-L employees emerged from the underbrush, coming from six different directions. "We're going to cut those trees down right now; they'll be in the mill in Scotia by tomorrow," they shouted, but proceeded to cut all of the trees and shrubs adjacent to the perched trees instead, isolating the sitters. They then cut a skid road right up to the tree next to King's using a D-8 Caterpillar. This was followed by threats and bluster from Carl Anderson, but all of this was merely an attempt at intimidation, designed to gauge the willingness of King and Cope to stick it out. The sitters wouldn't budge, though at one point King contacted the Sheriff's department, who responded with the question, "so, why did you call me?"¹⁰⁰ After they concluded that P-L was posturing, King and Cope serenaded the loggers during their lunch breaks with Earth First! songs on this and the next day.¹⁰¹

Ultimately, Carl Anderson and his team found a weakness they *could* exploit, and that was Greg King's aversion to bright light and industrial noise, which they used to great effect, stationing floodlights and a loud generator at the base of the occupied trees. In due time, King was eager to escape, and his decision to descend from his tree was strengthened by the timely arrival of two Earth First! ground support volunteers, Duff and Soul. At this point, King and Cope prepared for a descent and began packing, but dropping down is not much less complicated or risky than an ascent, and Greg King would soon experience the very real dangers inherent in the tactic of tree sitting. In a hurry to leave, and rattled by the invasive light and sound below, King rushed his preparation and rigged his equipment incorrectly. Holding fast to his climbing rope,

⁹⁷ "Foresters Defend PL harvest Plans: Group Brings Issue to Trial", by Marie Gravelle, *Eureka Times-Standard*, September 3, 1987.

⁹⁸ King, Lughnasadh / August 1, 1987, op. cit.

⁹⁹ King, Mabon / September 23, 1987, op. cit.

¹⁰⁰ Crowdad Nelson, September 1987, op. cit.

¹⁰¹ King, Mabon / September 23, 1987, op. cit.

but unable to fit his backpack adorned body through the small opening between a guy rope holding up his platform and the tree itself, king cut the latter. His platform lurched precariously downward, the water jugs plunged to the forest floor 130 feet below, and King went careening downward, unable to achieve a smooth, clean descent. His beard became caught in between his rope and climbing gear. He was somehow able to regain partial composure, by moving his climbing rope to various locations around his body, until he found a workable solution through a lightning fast spate of trial and error. He ultimately landed on his back on the soft forest floor, his still open knife hanging inches from his neck. His escape had been narrow indeed in every aspect.¹⁰²

By contrast, escape for Jane Cope was surprisingly easy. She took advantage of the noise of the generator and the shadows cast by the bright flood lamps to mask her descent, which she achieved by climbing down the backside of her tree, rappelling down in the shadows.¹⁰³ At this point, they heard footsteps. "It's Soul" said a voice from the shadows, and he proceeded to carry King's provisions allowing the addled tree sitter to regain his "land legs" after a week of having navigated a tree platform. The four forded the river on the edge of All Species Grove and began the eight mile journey to the nearest paved road. Two miles into their return, they encountered two more ground support volunteers and together, the six Earth First!ers returned safely, free, and (more or less) all in one piece.¹⁰⁴

Still, one loose end remained to be addressed, and that was recovering a role of undeveloped film that Greg King had stashed in the limbs of an oak tree a mile deep within Maxxam property on their return. King had done this in the event that if the six returning Earth First!ers were caught upon exit, the film might be confiscated. The next night, accompanied by Mokai and Crawdad Nelson, King retrieved the film, which contained photonegatives of pictures depicting the tree sits in vivid detail to be used for publicity to raise awareness about the slaughter of the old growth.¹⁰⁵ King felt the action was worthwhile, if only because he and Cope had built a dialog with approximately a dozen P-L loggers.¹⁰⁶ King would later claim that he never felt unsafe in either his actions or his dealings with his adversaries.¹⁰⁷

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Back in Petersen's court, it turned out that the Judge didn't have to make the difficult decision to open the Pandora's Box, because the CDF opened it themselves. Petersen *had* allowed Lippe to cross examine witnesses for the defense, at least, and this proved to be sufficient to support EPIC's contentions. In front of a crowded courtroom divided between environmentalists, including Darryl Cherney, and Pacific Lumber management and its enablers, including John Campbell, California Depart-

¹⁰² King, Mabon / September 23, 1987, op. cit.

¹⁰³ Bosk, November 1987, op. cit.

¹⁰⁴ King, Mabon / September 23, 1987, op. cit.

¹⁰⁵ Crawdad Nelson, September 1987, op. cit.

¹⁰⁶ Crawdad Nelson, September 1987, op. cit.

¹⁰⁷ "Pair Abandons Tree-Top-Stand.", by Marie Gravelle, *Eureka Times-Standard*, September 9, 1987.

ment of Fish and Game (DF&G) Biologist John Hummel admitted that he had not assessed the cumulative impacts of the proposed THPs on wildlife (in clear violation of CEQA). Then Hummel dropped the biggest bombshell of all. Under oath, he testified that had made his assessments favorable to Corporate Timber—knowing full well that this was detrimental to the environment—because he had been coerced into doing so by the CDF.¹⁰⁸ Hummel elaborated:

“There is no question that there are specific species which are dependent on old growth timber stands, (including): insects, birds, amphibians, etc. If that habitat is taken away from them, you’re going to lose all of the population of certain species. They don’t have the ability to move from one site to another. This is an ecological concept which was understood many years ago.”¹⁰⁹

Bill Winchester, a staff representative of the North Coast Regional Water Quality Board (RWQB) subsequently revealed that only one out of 30 THPs were even reviewed *at all* by his agency. It was their policy to ignore the other 29 out of 30 due to a lack of staff, and in no case did they ever consider cumulative impact. A third witness, a CDF forester, admitted that he had never even seen a picture of a Spotted Owl until recently, (and that was in P-L’s office!), though he was charged with assessing the impacts of logging on their habitat, and had done so on over 400 THPs.¹¹⁰

All three employees testified that they found their superiors unreceptive to their comments on wildlife concerns in the process of reviewing THPs for approval. Jared Carter, cross examining Hummel asked why the latter hadn’t revealed this information previously, thus implying that the DF&G representative’s testimony was politically motivated by affinity for the environmentalists’ cause. Hummel disputed this by revealing that in the previous five years he had declined to register critical comments about proposed THPs because he believed it would be a waste of time, since such comments would be “chucked into the wastebasket.”¹¹¹ Bill Winchester declared that Board of Forestry member Carlton Yee once attempted to have him removed from his position because he had expressed concerns about cumulative impacts.¹¹² He did say that the atmosphere had become less intimidating in recent years—a clear indication that constant pressure from an increasingly environmentally concerned public was having a positive effect.¹¹³ Attorney Thomas Lippe then argued that the testimony of the two represented evidence that there were severe deficiencies in the THP review process, and therefore THPs 230, 240, and 241 were invalid.¹¹⁴

¹⁰⁸ “Tame the Savage Timber Beast”, by Bob Martel, *Country Activist*, September 1987.

¹⁰⁹ King, Lughnasadh / August 1, 1987, op. cit.

¹¹⁰ “PL Cuts Trees, CDF Cuts Dissent”, by Mark Kuhn, *EcoNews*, October 1987.

¹¹¹ Gravelle, September 4, 1987, op. cit.

¹¹² Martel, September 1987, op. cit.

¹¹³ Gravelle, September 4, 1987, op. cit.

¹¹⁴ “Decision on Timber Harvest Lawsuit in Hands of Judge”, by Marie Gravelle, *Eureka Times-Standard*, September 11, 1987.

The spokespeople for the State of California and Maxxam refused to budge in their insistence that EPIC was wrong. In his closing arguments, Jared Carter declared that the advocacy group was asking for much more than the law required and that they merely wanted to be a “thorn in the side” of legitimate timber harvesting activity. If EPIC got what they wanted it would significantly slow down P-L’s harvesting rates. Deputy Attorney General Klafter echoed these sentiments arguing that the CDF “simply (didn’t) have the funds...(to conduct) any five-year studies (on wildlife species)...and I don’t think it’s required in the law.” In response Lippe’s arguments, he stated, “I’m not going to claim that the picture painted here shows a well oiled machine.” Of course, this was a matter of perspective. The environmentalists had been arguing for years that that the CDF had been *too well* oiled a machine, at least in granting THPs. For the time being, however, it was up to Judge Petersen to make a ruling, and that was liable to take several months.¹¹⁵

* * * * *

While that decision remained pending, a second group of environmentalists filed a separate lawsuit to oppose yet another Pacific Lumber THP. This time, Concerned Earth Scientist Researchers, a loose knit organization of approximately 100 researchers, environmental activists and concerned citizens led by Judith Waite, moved to prevent logging of old growth redwoods in All Species Grove.¹¹⁶ This group was charging that the plan failed to consider alternative logging methods to P-L’s clearcutting. “The land subject to this THP will suffer immediate, irreparable, and permanent damage,” charged the plaintiffs. In response, David Galitz denounced the suit as “more of the same garbage,” and added, “it makes you wonder if their true purpose is in stopping timber harvesting.”¹¹⁷ However, his protestations were ironic given the fact that they came less than a month after Pacific Lumber announced that, for the first time since Maxxam had assumed control, it had realized a profit, posting quarterly earnings of \$2.25 million for the second quarter of 1987.¹¹⁸

On the other side of the legal ledger, all nine protesters charged by the Humboldt County District Attorney Terry Farmer rejected a pretrial agreement offered by the DA’s office on September 8. The proposed deal required that the nine plead “guilty” to the charge of trespassing in exchange for one year’s probation and 40 to 80 hours of community service. The defendants all agreed that they were not guilty under the law and that they were acting to prevent a greater crime. Each defendant had their case transferred to a separate public defender. Attorney Kim La Valley, representing Tierra

¹¹⁵ Gravelle, September 11, 1987, op. cit.

¹¹⁶ “PL: More Foes in Sight”, *EcoNews*, October 1987. This publication described the THP as 385 acres in the headwaters of Elk River.

¹¹⁷ Second Group Files PL Lawsuit: Court Asked to Halt Logging on 400 Acres Near Fortuna”, by Marie Gravelle, *Eureka Times-Standard*, October 10, 1987. This publication described the THP as 237 acres northeast of Fortuna at Shaw Creek, near Headwaters Forest.

¹¹⁸ “Pacific Lumber Posts Profit: Gains Attributed to Bigger Harvest, Lower Interest Rates”, by Zillie Baker, *Eureka Times-Standard*, September 5, 1987.

Piaz pointed out that Humboldt County would have a very difficult time prosecuting the protesters, due to each having retained their own counsel as well as the hours of time spent engaged in a trial that was likely to last several weeks or even months. The D.A., whose reputation for being highly sympathetic to the aims of Corporate Timber had already been established, ruefully conceded the truth of this assertion. “They seem to want to utilize the proceedings to make a political statement, but in doing so they must obey the law...(my department) will not give in to economic blackmail.”¹¹⁹

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At the end of the month, King and Cope began yet another tree sit, this time targeting THP 87-323 and lasting five days.¹²⁰ In an attempt to give this action a “hook” that would attract further interest from the Corporate Media, Darryl Cherney had nicknamed the pair “Tarzan” and “Jane”—in spite of King’s objections. The press, including especially the widely read *Los Angeles Times*, loved the idea, however.¹²¹ The pair of sitters suspended a 40-foot banner between their two trees. The loggers found them after two days, and set up a basecamp after failing to convince the sitters to leave. They were determined not to let King and Cope escape this time, but again, the sitters and P-L employees developed further respect for each other. On the fifth morning, Greg “Tarzan” King and “Jane” Cope surrendered to the Sheriffs and prepared to face civil action and charges for their civil disobedience.¹²²

While all of this was taking place, Bill Bertain and Woody Murphy continued their difficult, and quite often seemingly lonely crusade to expose the insider trading between Maxxam and DBL. Unexpectedly, they discovered they had a great deal more allies than they had thought, when on October 5, hearings of the Oversight and Investigations subcommittee of the United States House Energy and Commerce committee, chaired by Michigan Democratic congressman John Dingell investigated the 1985 stock trading by Charles Hurwitz, Boyd Jeffries, Ivan Boesky, and others. A confidential memo released during the course of the hearings detailed the unusual trading of P-L stock leading up to Hurwitz’s initial tender offer.¹²³ Bertain and Murphy both testified at the hearings for which both Campbell and Hurwitz himself had been subpoenaed and ordered to appear. Murphy—who was not especially skilled at what amounted largely to political theater—lived up to his nickname in an unfortunate fashion giving an uninspiring and stammering account of his role in the fight, but his comrade and childhood friend was able to compensate by giving a damning indictment of what

¹¹⁹ “PL Protesters Reject ‘Deal’: DA Offered Probation for Guilty Pleas”, by Marie Gravelle, *Eureka Times-Standard*, September 9, 1987.

¹²⁰ “PL Tree Sitters Return to Perch”, *Eureka Times-Standard*, September 29, 1987.

¹²¹ Harris, op. cit., page 195.

¹²² “Tarzan and Jane Swing Through the Redwoods Again”, by Mokai, *Earth First! Journal*, Samhain / November 1987.

¹²³ “Stock Probe, New Suit Hit Maxxam”, by Andy Alm, *EcoNews*, November 1987.

amounted to perhaps the greatest heist seen in Humboldt County since the days of the California Redwood Company.¹²⁴

In spite of their best efforts, however, neither Murphy and Bertain nor Dingell and his subcommittee were able to beat Hurwitz. The Maxxam CEO was thoroughly experienced in such matters and well prepared to withstand the scrutiny. When asked about his connections to DBL, Michael Milken, Ivan Boesky, Fred Carr, Boyd Jefferies, and all of the other links to the merger, Hurwitz simply denied everything or answered with non answers, knowing exactly what to say in order to avoid implicating himself. For example, when questioned by a congressman, “How did Boyd Jefferies know to purchase Pacific Lumber Stock beginning on August 5, 1987, weeks before Maxxam bought its Pacific Lumber holdings unless somebody associated with the Maxxam takeover effort tipped him?”, Hurwitz replied simply, “I told him.” Hurwitz had no answer to why Jefferies had sold his share in the company’s stock at \$4 less than the market value. There were no records of any other charitable trades of PL stock following the transaction.¹²⁵ This was all but an admission of guilt, and both Dingell and fellow Congressman Ron Wyden concluded that it was highly unlikely that this agreement represented anything but illegal collusion and stock parking.¹²⁶ Maxxam’s annual report to the SEC also suggested that in order to meet their ongoing debt obligations, even further sales of P-L assets and increased logging might be implemented.¹²⁷ Yet, such evidence was simply not enough to conclusively prove a conspiracy of insider trading—within the narrow confines of capitalist stock trading laws at least—especially given the lack of willingness by Dingell’s and Wyden’s fellow Democrats, most notably Doug Bosco, to stand against Hurwitz.¹²⁸

Indeed, Bosco’s conduct throughout the entire affair had been inexcusable as far as all of the opponents of Maxxam were concerned. Bertain had made this known at the subcommittee hearings to the point that one of the congressman’s aides felt compelled to go out of his way to admonish the lawyer to back off. The latter had intercepted the attorney (who in turn had been attempting to bird-dog Hurwitz following the hearing) and informed him that Bosco was distressed by the negative comments the attorney had been making during the hearing. The lawyer exploded in response, “You *bet* I got on his case! If assholes like your boss had stuck to their guns, and not allowed the fox to guard the henhouse, none of us would have had to be here today!”¹²⁹ King and Cherney had a somewhat more pragmatic answer for dealing with political flip-flopping and pledged to send Earth First!, their monkeywrenches, and Darryl Cherney’s guitar

¹²⁴ Harris, op. cit., page 202.

¹²⁵ “The Kozmetsky-Hurwitz Connection: A Tale of Corporate Raiders in Capitalist America”, by Scott Henson and Tom Phillpott, *Polemicist*, May 1990, pages 8-9.

¹²⁶ “Ravaging the Redwood: Charles Hurwitz, Michael Milken, and the Costs of Greed”, by Ned Daly, *Multinational Monitor*, September 1994.

¹²⁷ “Stock Probe, New Suit Hit Maxxam”, by Andy Alm, *EcoNews*, November 1987.

¹²⁸ Harris, op. cit., pages 204-207.

¹²⁹ Harris, op. cit., pages 207-208.

to Sacramento and Washington, by challenging Dan Hauser and Doug Bosco in the next year's election.¹³⁰ In the meantime, all concerned would have to console themselves with the knowledge that while one battle or two had been lost, the war was still very much theirs to win.

Hurwitz may have gotten away clean in Washington, but neither he nor the CDF did so in Humboldt County. After six months of legal jousting between EPIC and Maxxam, Judge Petersen finally issued a stunning decision and opened up far more than a can of worms. Ruling on the technical aspects of the fight over THPs 230, 240, and 241, he declared, "It appears that the CDF rubber-stamped the timber harvest plans as presented to them by Pacific Lumber Company and their foresters. It is to be noted, in their eagerness to approve (240 and 241), they approved them before they were completed." He accused the CDF of "rubber stamping" THPs and that they "brushed aside" considerations of cumulative impacts required in EPIC vs. Johnson. He further declared, "In this case it is apparent that CDF...does not want Fish and Game or Water Quality to cause any problems or raise any issues which would deter their approval of any timber harvest plan." This ruling in EPIC vs. Maxxam I was no less stunning than EPIC vs. Johnson, and at least one North Coast commentator explained, "That a timber county judge could write such a scathing opinion of Maxxam's timber harvest practices indicates such practices are probably ten times more shocking than revealed."¹³¹

The reaction to Peterson's ruling on EPIC vs. Maxxam I was mixed. CDF spokesman Harold Slack declared, "in all likelihood, we will not appeal," further elaborating that though the agency disagreed with the judge's opinion, that changes in the THP process were inevitable in any case. Earth First!ers hailed the decision and considered it vindication of their criticisms of both Maxxam and the CDF. Among the environmentalists, only Woods seemed disappointed declaring, "He's taken the real blatant issues and ruled on them and left the rest," although EPIC attorney Jay Moller agreed that the judge had done, "a very good job with the issues he did deal with. It is the first court I know of that essentially said CDF's process is not working and is not in compliance with the law." For the moment, by contrast, Corporate Timber was stunned, and other than David Galitz who indicated that P-L was waiting for Jared Carter's analysis of the ruling, had no comment. It was inevitable in most people's minds, however, that there would soon be a backlash.¹³²

As it turned out, there was indeed a backlash, but it seemed to be coming from the P-L workers towards the company's management. Greg King reported hearing unverified reports of monkeywrenching against Maxxam (that were not covered by

¹³⁰ "Earth First! Runs for Office", by Darryl Cherney and Greg King, *Country Activist*, December 1987 and *Mendocino Commentary*, December 17, 1987

¹³¹ "EPIC Wins: Judge Blasts Rubber-Stamping, Halts P-L Logging", by Andy Alm, *EcoNews*, December 1987.

¹³² "EPIC Wins: Judge Blasts Rubber-Stamping, Halts P-L Logging", by Andy Alm, *EcoNews*, December 1987.

the Corporate Media), including the stuffing of epoxy into padlock keyholes on gates across logging roads, damage to machinery in the forests and the mills, and purposeful work slowdowns by the mill workers. It was believed that these actions resulted from workers' discontent at forced overtime imposed by Maxxam, a 25 percent rent increase for housing in Scotia, and rumors of a potential loss of their \$60 million pension fund.¹³³ At least *one* anonymous Pacific Lumber millworker even hinted that EPIC and the Earth First!ers were mostly on target, no doubt echoing the sentiment of many others, declaring:

"It's a damn shame what's happening to the old growth and to this company. We all know that. The faster we harvest and the harder we work, the sooner we will be out of jobs. Aren't we entitled to answers to some questions? For example:

"What's going to happen to Mill B and the factory after all the old growth is harvested? Will Mill B be replaced at all with a second growth mill? Or will Mill A and the Fortuna Mill be used to reach what Mr. Hurwitz and John Campbell have said would be the 135 million board feet volume representing the 1985 level of production? If Mill B is no longer operating, how many of us will be working? If it is replaced by a second growth mill, will the mill be a high-speed, fully automated, state-of-the-art mill like Simpson's Korbel plant or even with the technology similar to that in use at the Fortuna mill? How many jobs will there be?

"Whatever happened to those annual meetings with the employees we were told we might have? Wouldn't such meetings give us an opportunity to ask some questions and get some answers? Or was there a meeting and I wasn't told? Why not open the old Winema Theater and have employee-management discussions?

"We are soon going into the third and last year of our guaranteed wages and benefits. Apparently these guarantees will end on October 22nd, 1988. Sure, we're only employees of Maxxam / MCO, but most of us used to be part owners of a fine company known as the Pacific Lumber Company. Can't we get a hint of what our future will be come October 23, 1988? Or are we to be treated like lambs led to the slaughter?

"Why haven't we had a cost of living increase for over two years?

"We all hear the word coming back from the fellows in the woods that at the rate they're cutting out there, the old growth won't last ten years. If so, what then? And what percentage of the production in the factory

¹³³ King, Lughnasadh / August 1, 1987, op. cit.

comes from old growth? Is it true that the new boilers can probably pay for themselves and generate money for Hurwitz even without Mill B?

“With Louisiana-Pacific, Simpson, and Arcata Redwood likely to get their \$500 million or so from the government for the 1976 National Park expansion, what are the chances that Maxxam will not only sell the logs to these companies, but also chunks of Pacific Lumber’s timberlands? Is that why former LP-Carlotta employees say that LP will own the Carlotta mill again within 4 to 5 years? Will Maxxam be tempted to sell off our future to other timber companies who will soon be flush with the park expansion money? That will sure change our picture, and our children’s future.

“What happens if the Securities and Exchange Commission (SEC) finds out Hurwitz had over 5% of the stock prior to the old Board selling us down the river? Do we get the company back?

“I hate to say it, but maybe the three-huggers are right in telling us to fight this whole thing. I’d say my name, but under the circumstances, I’ll remain anonymous for now. I feel that all of us employees deserve an answer to these questions. I look forward to management setting a meeting date to have these questions answered.”¹³⁴

This letter was photocopied and distributed all over Scotia, Rio Dell, Fortuna, and Carlotta. John Campbell and his underlings did their best to contain the situation within the confines of Scotia. The P-L executive drafted a letter to all of the company’s employees dismissing the increased scrutiny as a conspiracy organized by radical fringe of “environmental extremists.” A good many employees, including especially those brought in after the sale bought this explanation with little question.¹³⁵

Still there were some who didn’t, including Kelly Bettiga. At a mandatory meeting of all P-L employees held just after the beginning of 1988, (in which Hurwitz was *not* present) Bettiga asked a number of questions of both Campbell and William Leone that called out Hurwitz for his inconsistencies and inaccuracies. Campbell again attempted to deflect the blame to Earth First! and the like, but Bettiga wasn’t buying it. Speaking from the floor, he pointed out that if P-L was in as good a shape as Campbell, Leone, and (by extension) Hurwitz were claiming, why had the system of automatic raises not been maintained? Before Campbell or Leone could answer, Bettiga noted that—in addition to Hurwitz’s “Golden Rule”, there was another, which was, “You get what you pay for.” The outspoken millworker wasn’t finished. He went on to warn all those assembled that the environmentalists were not just some lunatic fringe, but a very real force with which to be reckoned with a great deal of support, enough perhaps to dictate the future of Pacific Lumber. At this point Leone inquired if anyone else had

¹³⁴ “An Anonymous Letter to All Maxxam / Pacific Lumber Employees and Friends” by an anonymous Pacific Lumber employee, September 1987.

¹³⁵ Harris, *op. cit.*, pages 209-217.

a question. Nobody did.¹³⁶ There would not be another companywide meeting for two years.

¹³⁶ Harris, *op. cit.*, pages 209-217.

8. Running for Our Lives

“The only reason that I ran for the Board of Supervisors in the first place, primarily, was to support the timber industry”

—Humboldt County District 2 Supervisor Harry Pritchard, 1987

*When Maxxam came to Humboldt and bought out old “PL”,
And ripped the worker’s pension fund and turned the land to hell,
Old Bosco sent a press release to say he’d lend a hand,
And he didn’t break his promise—he just lent it to Maxxam.*

—Lyrics excerpted from *Where’s Bosco?* By Darryl Cherney, 1988

*Darryl Cherney ran for congress,
As a singing candidate,
Some folks said, “he dropped out early”,
Others said, “it was too late”.*

—Lyrics excerpted from *Darryl Cherney’s on a Journey*, by Mike Roselle and Claire Greensfelder, 1990

The fallout from EPIC vs. Maxxam I was felt almost immediately. Emboldened by Judge Petersen’s decision, and the revelations that the California Department of Forestry had essentially bullied the Department of Fish & Game into silence on the cumulative impact of logging on wildlife in the THP review process, the latter agency took an unprecedented stand. Led by John Hummel, the DFG filed “non-concurrence” reports on five Humboldt County THPs, including three by Simpson Timber Company, one by Pacific Lumber, and one by an independent landowner. In doing so, Hummel declared:

“The wildlife dependent on the old growth redwood/Douglas fir ecosystem for reproduction, food, and cover have not been given adequate consideration in view of the potential impacts...Our position in Fish and Game is that if clearcuts on old-growth stands are submitted, we will not concur until these issues are resolved.”

He further declared that economically viable alternatives to clearcutting had been proposed or evaluated, and the DFG was considering developing position statements in favor of protecting spotted owls, marbled murrelets, fishers, red-tree voles, Olympic

salamanders, Del Norte salamanders, and tailed frogs as “species of special concern” in the THP process.¹

The CDF remained entrenched and indicated that they would ignore Petersen’s ruling by announcing that they would simply change the rules to benefit Corporate Timber. Following the DFGs “non-concurrence” filings, CDF director Jerry Partain called upon the California Board of Forestry to invoke its emergency powers to allow the CDF discretion to overrule DFG findings and approve THPs anyway. This was also unprecedented. The emergency rules had hitherto only been used to protect the environment; now Partain was calling for the opposite. The CDF director’s action brought immediate condemnation from the Office of Administrative Law, the Planning and Conservation League, and EPIC. Among other things, they charged that this rule change should require a full EIR under CEQA.²

No doubt Corporate Timber was the biggest motivator behind Partain’s machinations. Epic vs. Maxxam I threatened to shake the agency’s practices up significantly, and not just in Humboldt County. For example, in Mendocino County, local residents filed challenges to two Louisiana-Pacific THPs in the Navarro and Big River Watersheds.³ The Corporations’ response was to lobby the BOF to require administrative fees of \$1,000 per challenge, a threat to citizen oversight that even some pro-Corporate Timber backers considered overshoot and legally untenable.⁴

* * * * *

It was within this political context that Darryl Cherney’s and Greg King’s campaign for office took place. As the environmentalists’ struggle for forestry reform gained momentum and public support they increasingly found themselves in conflict with the government at all echelons. Whether at the federal, state, or county level, it was scarcely an exaggeration to say that politicians and judges were heavily influenced by Corporate Timber. Maxxam and Simpson called the shots in Humboldt County, Georgia-Pacific controlled Mendocino County to the south, and Louisiana-Pacific was a heavy hitter in both.

Uncritical timber industry supporters dominated the local governments in both Humboldt and Mendocino Counties. In Humboldt the Board of Supervisors was led by Second District supervisor Harold Pritchard and Fifth District supervisor Anna Sparks. Sparks was known for her reflexive opposition to any move to limit corporate power⁵, and Pritchard had made it known that he had run to save the interests of (corporate) timber.⁶ Meanwhile, in Mendocino County, a solid Corporate Timber bloc—led by

¹ “Fish & Game Axes Clearcuts”, *EcoNews*, January 1988.

² “New Ideas for Old Growth”, by Andy Alm, *EcoNews*, March 1988.

³ “Battles Rage Over Old Growth”, by Andy Alm, *EcoNews*, April 1988.

⁴ “Newspeak”, by Tim McKay, *EcoNews*, June 1988.

⁵ “Labor, Activists Unite to Fight L-P”, by Crawdad Nelson, *Anderson Valley Advertiser*, January 10, 1990.

⁶ “John Maurer’s Candidate Statement for Humboldt County Supervisor”, by John Maurer, *Country Activist*, May 1988.

reactionary supervisors Marilyn Butcher in District One, Nelson Redding in District Two, and John Cimolino in District Four—reliably cast their votes in the best interests of G-P and L-P. District Three Supervisor Jim Eddie was a moderate, but often cast his vote with the former in many cases, leaving District Five Supervisor Norm de Vall as the lone dissenter. Cimolino, had announced that he would not seek an additional term of office,⁷ but one of his potential successors, Republican Jack Azevedo, stood *at least* as far to the right politically as Butcher and Redding, and he was unapologetic in his stance. There was no doubt with whom he would cast his vote on environmental matters.⁸

At the federal level, Doug Bosco represented California's First Congressional District, encompassing Santa Rosa all the way north to the Oregon border, covering almost six entire counties, including Sonoma, Mendocino, and Humboldt. The incumbent was a machine Democrat, whose home office was in Sebastopol.⁹ According to his critics, Bosco had waffled on the issue of Maxxam's hostile takeover of Pacific Lumber from its inception in 1985 and by 1988, he had fully endorsed it, dismissing the campaign to oppose the takeover as "an east coast media hype". Bosco's support for offshore oil drilling—opposed by many coastal residents of his district across the political spectrum—alienated many of his assumed constituents, including most environmentalists.¹⁰ Darryl Cherney said of the congressman:

"He has positioned himself as an enemy of the people...Bosco said in a recent press release, 'I remain open to the possibility of a negotiated agreement that would allow for some limited development off central and northern California'...What Bosco calls limited is 150 tracts of oil rigs with additional leasing to open up after the year 2000. Add to this Bosco's Congressional votes for nerve gas manufacturing, the Trident II missile, a contingency plan for the invasion of Nicaragua, and the financial support for the El Salvadoran death squads, and it becomes quite clear: Doug Bosco is in the pocket of the military industrial complex lock, stock, and oil barrel."¹¹

Even more damning, according to several community publications, including *The Russian River News*, *The Anderson Valley Advertiser*, and the *Country Activist*, Bosco

⁷ "Cimolino Won't Run Again", by Randy Foster, *Ukiah Daily Journal*, May 10, 1987.

⁸ "Azevedo's List Entries Meet", by Mitch Clogg, *Mendocino Country*, November 1, 1988; "Publisher's Corner", by Harry Blythe, *Mendocino Commentary*, November 17, 1988; and "Lisa Henry on her 22nd Birthday", Interview by Beth Bosk, *New Settler Interview*, January 1991.

⁹ "Vote Lionel Gambill into Congress", by Darryl Cherney, *New Settler Interview*, issue #31, May 1988.

¹⁰ "Darryl Cherney: a Conversation with a Remarkable Candidate", by Michael Koepf, *Anderson Valley Advertiser*, (in two parts) April 27 and May 4, 1988.

¹¹ "Confessions of a Candidate", by Darryl Cherney, *Country Activist*, March 1988.

had received a series of questionable loans from the Sonoma County based Centennial Savings, which was laundering illegal drug money.¹²

California State Assemblyman Dan Hauser, yet another Democrat serving the First Assembly District, also faced reelection that year. The incumbent had been a guest at a Maxxam sponsored \$250 per-plate dinner, and this alone made him a target for a challenge from environmentalists. King said of his opponent:

“Dan Hauser no longer deserves the 1st District Assembly seat. He has sold his constituents down a siltated polluted river, ignoring demands for a clean environment and responsible government. Hauser has become a Willie Brown protégé, snuggling up to uncaring corporations that exploit resources without considering the human and environmental costs. I will not stand for this and next year the voters can choose not to stand for it either.”¹³

Though Willie Brown described himself as a “progressive”, he was rarely actually a friend to the “little guy”, and was quick to reward his corporate campaign donors at every opportunity. In matters of the timber industry, Willie Brown had recently overridden the wishes of the people of Mendocino County by ramming through his bill, AB 2635, which stripped counties of local jurisdiction in regulating aerial herbicide spraying.

Adding to the urgency, 1988 was a Presidential Election year, and historically the contest for the Oval Office usually generates a much higher turnout than lower profile election cycles. This one would be especially significant, because Ronald Reagan was termed out. The closing years of “the Great Communicator’s” term were wracked with scandals, including the Iran-Contra affair, not to mention the Savings & Loan scandals that involved DBL, Boesky, and Maxxam. Reagan’s support for the apartheid regime of South Africa as well as numerous unpopular right-wing governments in the so-called Third World had reawakened a leftist opposition that many had considered dead and buried due to the president’s supposed landslide election in 1980. His stances on the environment, including the choice of Christian Fundamentalist and rabid anti-environmentalist James Watt as secretary of the Interior had galvanized the green movement almost from the get-go. What could have been an easy contest for Reagan’s chosen successor, Vice President George Herbert Walker Bush, suddenly became a dogfight. The interest generated by the main election brought attention to the other contests as well.

Cherney and King decided to challenge the incumbents. Pledging to “take the syrup out of politics”—a somewhat tongue-in-cheek homage to the coincidence that a former

¹² See, for example, “Boscogate: an Update”, by Stephen Pizzo, *Russian River News*, reprinted in the *Anderson Valley Advertiser*, June 4, 1986.

¹³ “Earth First! Runs for Office”, by Darryl Cherney and Greg King, *Country Activist*, December 1987 and *Mendocino Commentary*, December 17, 1987

child spokesperson for Bosco syrup was now preparing to run against a politician by the same name, Cherney declared his intent to unseat the incumbent in the Democratic Party primary.¹⁴ King similarly announced his goal to unseat Dan Hauser, but since that race was nonpartisan, King ran as a member of the Peace and Freedom Party (P&F), which described itself as “democratic socialist”.¹⁵ Regardless of their affiliations, both candidates sought endorsements from the Democratic, Green, and P&F Parties, but half-jokingly announced that they were actually running as write-in candidates for the newly formed *Earth First!* Party, whose platform was “150 feet up a redwood with a tree hugger sitting on it.”¹⁶

There was a marked difference in the presentation of the two campaigns, however. Both King and Cherney were media savvy, of course, but King approached it as a reporter, dealing primarily in facts, whereas Cherney approached it as an entertainer, dealing in spectacle as well as factual information, and history shows that the latter tends to be more conducive to drawing attention to elections in the United States. Also, State Assembly races are almost never featured contests, especially when eclipsed by higher profile campaigns. As a result, King’s campaign never amounted to much, although he did show up for some campaign events and a couple of press conferences, his campaign was nearly invisible relative to Darryl Cherney’s.¹⁷ Cherney, on the other hand, was very visible in his run for office. He ran, quite literally, as a singing candidate, and though he considered his chances of winning remote, he pledged to bring his guitar with him “right into the halls of Congress, strumming and crooning (his) testimony on all sorts of issues that urgently need to be addressed.”¹⁸ For his campaign, the already prolific *Earth First!* troubadour, who was rapidly becoming the “Joe Hill” of the *Earth First!* movement, penned a new song, *Where’s Bosco?* which took the incumbent congressman to task for his unwillingness to be accountable to the public for his failures and included the refrain, “Don’t call me a radical, Bosco’s underground!”¹⁹

Cherney’s wasn’t alone in his quest to challenge Bosco from the left. Two other disgruntled Bosco constituents, Neil Sinclair and Lionel Gambill, both Democrats, decided independently of Cherney and each other, to challenge Bosco in the primary.²⁰ Ironically, though neither challenger was aware of the other, both of them lived less than ten miles apart, at opposite ends of the Bohemian Highway in the rural southwestern Sonoma County, near Greg King’s home town. Sinclair hailed from Monte Rio, on the Russian River, near Cazadero and Guerneville, and Gambill lived in Occidental to the

¹⁴ “Darryl Cherney Runs for Congress”, staff report, *Earth First! Journal*, Mabon / May 1, 1988.

¹⁵ “Anti-Maxxam Activists Enter Political Races”, *Earth News*, *Mendocino Commentary*, March 31, 1988.

¹⁶ Cherney and King, December 1987, op. cit.

¹⁷ Interview with Greg King, March 31, 2010.

¹⁸ Cherney, March 1988, op. cit.

¹⁹ *Where’s Bosco*, by Darryl Cherney, 1988, featured on the Darryl Cherney music album *They Sure Don’t Make Hippies Like They Used To*, 1988.

²⁰ “Gambill Runs for Congress in 1st District”, *North Coast News*, March 17, 1988; and “Two More Contenders, Lionel Gambill”, press release, *Country Activist*, April 1988.

south. Although Cherney had declared his candidacy first, he hadn't actually officially filed the necessary paperwork until after the other two had done so, even though neither candidate contacted Cherney to confirm the seriousness of his intent. Cherney ruefully reflected that had he known about either competing candidate, he would have kept the \$900 he spent on his filing fee, stepped aside, and supported the stronger of the other two challengers.²¹ Adding to Bosco's challenges from the left, Eric Fried, a self described socialist and supporter of both Earth First! and the timber workers ran on the Peace and Freedom ticket.

The Earth First! candidate nevertheless accepted the additional contenders as potential allies, because the goal of his campaign was to unseat Bosco and draw attention to Maxxam's pillage of the Humboldt redwoods. Cherney initially had no opinion of Neil Sinclair, as he knew almost nothing about him. On the other hand, his impression of Lionel Gambill was quite positive, and the latter was, in Cherney's opinion, "a respectable looking sixty-year-old candidate." Attempting to make lemonade out of lemons, Cherney suggested (to both Gambill and Sinclair) that if each candidate split the vote roughly equally in the winner-take-all primary, all they had to do is get Bosco to receive one percent less than any of the others. At the very least, the three of them together could render Bosco politically impotent by ensuring that he received less than 50 percent of the popular vote. Cherney even supported Gambill when the Sierra Club's Sonoma County Chapter elected to endorse Doug Bosco (perhaps out of the timid belief that Bosco was the best choice to fend off an even worse Republican challenger in the November general election). Gambill attempted to address the meeting, but was essentially ignored. Cherney attended this particular meeting, spoke in support of Gambill, and sang a quickly written song called *I Dreamed I Saw John Muir Last Night*.²²

Right away, Cherney's and King's candidacies induced critics to stir up animosity, especially in light of some of the more controversial statements made by Dave Foreman and Ed Abbey, but those statements were eclipsed by a far more acrimonious statement made by another Earth First!er. A column penned in the Beltane (May 1) 1987 edition of the *Earth First! Journal*, written by "Miss Ann Thropy", implied that, following the logic of Malthus, AIDS and other fatal diseases were nature's way of regulating the human population, and concluded "if the AIDS epidemic didn't exist, radical ecologists would have to invent one."²³ Miss Ann Thropy was an obvious *nomme de plume*, and many assumed it was Dave Foreman, though it was later revealed to be, by his own admission, fellow Earth First!er Chris Manes. Manes claimed that the column was "dark humor", but he was deadly serious about the thinking behind it, declaring,

²¹ "Darryl Cherney: a Conversation with a Remarkable Candidate", by Michael Koepf, *Anderson Valley Advertiser*, (in two parts) April 27 and May 4, 1988.

²² Koepf, April 27 and May 4, 1988, op. cit. This song was, of course, set to the tune of *I Dreamed I Saw Joe Hill Last Night*.

²³ "Population and AIDS", by Miss Ann Thropy, *Earth First! Journal*, Beltane / May 1, 1987.

“Some Earth First!ers have suggested in Malthusian fashion that the appearance of famine in Africa and of plague in the form of AIDS is the inevitable outcome of humanity’s inability to conform its numbers to ecological limits. This contention hit a nerve with the humanist critics of radical environmentalism, who contend that social problems are the cause behind world hunger and that suggesting plague is a solution to overpopulation is ‘misanthropic.’ They have also produced a large body of literature attempting (sic) to show that Thomas Malthus was incorrect about the relationship between population and food reduction. Malthus may (sic) have been incorrect, famine may (sic) be based on social inequalities, plagues may (sic) be an undesirable way to control population—but the point remains that unless something is done to slow and reverse human population growth these contentions will soon become moot.”²⁴

To his credit, Cherney responded to Corporate Timber’s attempts to associate him with the statements made by Abbey, Foreman, and Manes, refuting the notion that Earth First! in general, or he and King, specifically, held such positions.²⁵ Nevertheless, the Malthusian stances taken by Manes, Foreman, and Abbey were fodder for Cherney’s and King’s critics on the North Coast. For example, Cherney’s and King’s stance on water—which was not Malthusian, but proposed local self sufficiency—raised the ire of *North Coast News* columnist Nancy Barth. In her column, Barth sounded the alarm about “Ecofascism!”:

Mr. King and Mr. Cherney must certainly realize that use of ground water from wells causes a temporary reduction of the water table. Will they require all rural residents to depend on surface water exclusively, collect rainwater, or face deportation? Will Mr. King and Mr. Cherney and their Earth First! cohorts sit in judgment to determine who has damaged the environment and thus be deported?²⁶

Cherney offered a quick response, stating,

The real question is ‘who will Nancy Barth throw out of our area in order to allow more businesses and residents in?’ While human beings are getting mud out of their faucets, Nancy is calling those who call for growth limitations fascists. And if Nancy bothered to read a newspaper every now and then, she would learn that over 60 percent of Santa Rosa wants limited growth. Are they fascists, too?²⁷

²⁴ Manes, Christopher, *Green Rage: Radical Environmentalism and the Unmaking of Civilization*, Boston, MA, Little Brown, 1990.

²⁵ Cherney, March 1988, op. cit.

²⁶ “Ecofascism Comes Out of the Closet”, by Nancy Barth, *North Coast News*, January 21, 1988.

²⁷ “Darryl Cherney Responds to Nancy Barth”, by Darryl Cherney, *North Coast News*, February 4, 1988.

Cherney also pointed out that Barth's rejection of Earth First!, ostensibly in favor of "working responsibly" within the system had been tried and found wanting. He reiterated that one of the primary reasons for the existence of radical movements like Earth First! was that environmental groups that adopted moderate stances had hitherto been unable to accomplish any of their goals, until and unless more radical environmentalists had pushed the envelope thus making the former's positions appear more politically palatable. Barth's dismissals were typical of most of the critics. In fact, Cherney's and King's *actual* platform was solidly social democratic by early 21st Century standards, and placed them well to the *left* of the Democratic Party politically.

Both candidates took strong stands on environmental matters, including water (as previously mentioned); timber (sustained yield, uneven-aged management with no old growth harvesting, and restaffing the CDF with trained environmental experts); total opposition to offshore oil; sustainable fisheries; agriculture (a ban on petro-chemicals, synthetic fertilizers, herbicides, and pesticides and replacing large scale agribusiness with small-scale organic farms); transportation (incentives for bicyclists and pedestrians, the establishment of auto-free zones, and vastly increased mass transit resources); energy (phasing out nuclear fission power and investment in a crash program to rapidly develop and deploy solar and wind power as well as immediately reducing fossil fuel consumption by implementing mandatory conservation measures); waste (recycling of all waste—which, they argued, would create jobs); and interior (reclamation of wilderness, massive tree planting, stream restoration, and the banning of motor vehicles from national parks).²⁸

Their stances on social issues were no less progressive. On matters of "law and order" they advocated focusing on corporate criminals as opposed to petty crimes, and an end to highly unproductive new prison construction. On unemployment, they called for a jobs program geared primarily towards ecological restoration. They called for legalization of marijuana, with rigid environmental standards to prevent its production becoming unsustainable itself. As for their economic perspective, both proposed vigorous prosecution of public trust violations in opposition to corporate power.²⁹

Additionally, Cherney called for a massive reduction to the military budget, abolition of all nuclear weapons, redeploying the military to deal with long term ecological restoration projects, and banning of non-essential imports and local self sufficiency. Cherney's geopolitical stances placed him in opposition to the Reagan dominated Cold War orientation of the United States. Cherney referred to the USSR as "our competitor, not our enemy", and decried the ideologies of both superpowers, "since neither one worked." Demonstrating that he was *not* a racist, Cherney called for the immediate recognition of the Nelson Mandela-led African National Congress as the bona fide government of South Africa and reparations for the then oppressed black population under Apartheid. On the matter of Nicaragua, he called for an end to funding of the

²⁸ Cherney and King, December 1987, op. cit.

²⁹ Cherney and King, December 1987, op. cit.

Contras. Cherney also proposed a well funded education program and incentives to lower population growth by making it the norm for families to have one child only.³⁰ In no instance did Cherney take any stance that placed himself on the political right, and in no case did he adopt any of the stances taken by either Dave Foreman or Edward Abbey that had unfairly earned Earth First! the reputation as a politically reactionary movement.

Cherney and King were not alone in their quest to unseat Corporate Timber friendly incumbents. John Maurer and Don Nelson had announced candidacies of their own for the Humboldt County District 2 and Mendocino County District 4 supervisorial elections. Maurer declared his campaign in February of 1988.³¹ Pritchard's seat represented the southeastern-most section out of five districts and included much of the land owned by Pacific Lumber.³² Don Nelson declared his candidacy on January 20, 1988.³³ District 4 encompassed the northwestern corner of Mendocino County and included the southern portion of the Sinkyone Wilderness as well as Fort Bragg, where the big G-P Mill was located. Given the sensitivity of the issues, Cherney and King agreed to keep their campaigns independent of Maurer's and Nelson's and vice versa (and the latter ran their campaigns more or less independent of each other). Cherney and King stressed that they didn't necessarily endorse Maurer and Nelson (and vice versa), but all agreed that they had roughly similar concerns.³⁴

Don Nelson, born and raised on the Mendocino Coast, billed himself as "the workers' candidate" (and, at least relative to the lame duck Cimolino, that was true enough). Nelson had worked for 20 years in the woods as a logger and timber faller, but for the thirteen years prior to his announcement, he had served as the full-time, paid Business Representative for the Fort Bragg IWA Local.³⁵ On the other hand, he had opposed the environmentalists' fight to preserve Sally Bell Grove in the Sinkyone, though he ultimately agreed to a compromise that included some concessions that the IWA accepted.³⁶ In spite of this, many residents of the county, including a large number of environmentalists agreed that he would be a vast improvement over John Cimolino, and certainly a far superior choice than the rabidly right wing Azevedo.³⁷

³⁰ Cherney and King, December 1987, op. cit.

³¹ "Millworker Challenges Incumbent", by John Maurer, *Country Activist*, March 1988.

³² "Anti-Maxxam Activists Enter Political Races", Earth News, *Mendocino Commentary*, March 31, 1988.

³³ "Hess Withdraws, Don Nelson Enters 4th District Supes Race", *North Coast News*, January 21, 1988.

³⁴ Earth News, March 31, 1988, op. cit.

³⁵ "Worker Rep Candidate", by Don Nelson, *Country Activist*, February 1988.

³⁶ See, for example, "Woodworkers Angry" by Don Nelson and "Let's Work Together" by Cecilia Gregori, *Country Activist*, Oct. 1986; "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; and "Union Demands Info on G-P Land Swap," *North Coast News*, March 19, 1987.

³⁷ "Coastal Waves: an Occasional Column", by Ron Guenther, *Mendocino Commentary*, June 2, 1988.

Meanwhile, both Maurer and his opponent, Pritchard, agreed that timber was the economic lifeblood of Humboldt County, but they had substantially different perspectives on how to ensure the long term viability of it. Pritchard, of course, followed the neoclassical economic rhetoric put forth by Ronald Reagan of “reduced taxes and less ‘burdensome’ regulations will result in a stronger economy.”³⁸ The incumbent had already served three terms as the supervisor for the Second District, and he was usually 100 percent in agreement with the practices of Maxxam.³⁹ His stance on clearcutting and the increased harvesting rates by the new P-L was to praise it, declaring, “Those people that are hollering (about sustained yield) don’t know what they are talking about. Today, there’s more wood being grown in the county than is being harvested,” and claimed that P-L’s construction of new infrastructure (though he conveniently omitted that it was done with nonunion labor from out of the county), including dry kilns in Fortuna and Redway as well as a cogeneration plant in Scotia was “proof” that P-L wasn’t “spending that kind of money to go out of businesses.”⁴⁰ But, Pritchard was on record as misrepresenting the level of Maxxam’s overcut, claiming that the rate of increase was a mere 3 percent when it was in fact at least 200 percent.⁴¹ Also, he had, in his capacity of head of the regional air quality management district the previous year, sided with L-P and Simpson on air pollution complaints against the two corporations brought to the board by Humboldt County residents.⁴²

Maurer’s positions were hardly radical, but they stood in stark contrast to those of his opponent. He considered Maxxam’s takeover of P-L to be one of the most serious threats to befall Humboldt County. “Gone (were) the days of prudent, selective timber harvesting that ensured economic stability.”⁴³ Despite his resignation, Maurer continued to fight the Maxxam takeover. He started a custom cabinet making and woodworking business, in which he pledged to use sustainable resources. He was one of the plaintiffs in a suit against Maxxam, charging impropriety in the \$35 million depletion of the workers’ pension fund. Maurer believed that economic diversity and community growth must be encouraged and maintained, but that resources should be controlled locally. He believed that local manufacturing, including local processing of timber, was infinitely more desirable than raw log exports and clearcutting. Instead of shipping raw logs away, Maurer envisioned shipping quality wood products, such as milled doors and cabinets. His vision was not entirely motivated by self interest or limited to timber, because he also envisioned enhancing other local Humboldt County

³⁸ “Pritchard, Maurer Face off Tuesday in Second District Race”, by John Soukup, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

³⁹ “Harry Pritchard Deserves 4th Term”, editorial, *Eureka Times-Standard*, June 5, 1988.

⁴⁰ Soukup, June 3, 1988, op. cit.

⁴¹ “John Maurer’s Candidate Statement for Humboldt County Supervisor”, by John Maurer, *Country Activist*, May 1988.

⁴² “A Tale of Two Candidates”, letter to the editor by Timothy Carter, *Humboldt Beacon and Fortuna Advance*, May 10, 1988.

⁴³ “Millworker Challenges Incumbent”, by John Maurer, *Country Activist*, March 1988.

industries, such as dairy and tourism.⁴⁴ Maurer challenged the incumbent on his uncritical stances on Maxxam, arguing that they had taken Hurwitz and Campbell at their word, even though access to accurate information was restricted. “We have every right to expect our supervisors to take a stand on this. The board should be interested in pursuing information so that we as a community can be assured that sustained yield is the case—assurance for long term timber jobs. The future of Humboldt County is at stake.” Additionally, Maurer challenged Pritchard’s accessibility to the public (along with the rest of the board), a claim which Pritchard disputed.⁴⁵

For his part, Don Nelson was anything but a perfect candidate to challenge Corporate Timber in many respects. Nelson had already lost much credibility with the rank and file members of IWA Local #3-469, and the candidate had an inconsistent—and sometimes contradictory—record on forest issues. Nelson had supported the Greens in their joint pickets of L-P over herbicide spraying three years previously, though there was more than a hint of political opportunism in this move. He supported tougher timber cutting regulations⁴⁶, including AB 3601, proposed by Assemblyman Byron Sher, which would have limited old growth cutting, at least on paper.⁴⁷ He certainly had come out vehemently against Maxxam’s takeover of Pacific Lumber—going so far as to consent to Earth First! quoting him in their publications on the issue.⁴⁸ Nevertheless, he felt that individual citizens being able to directly challenge THPs created unintended consequences that represented a potential threat to timber workers’ livelihoods and preferred an intermediary board to address such conflicts.⁴⁹ Nelson’s most troubling stance was on clearcutting, which he supported, albeit on a much smaller scale than was typically practiced by Corporate Timber.⁵⁰ Nelson defended his position ostensibly on matters of workers’ safety, arguing that selective cutting involved some inherent dangers to workers not likewise extant in clearcutting (such as “widow-makers”), but he parroted dubious industry talking points (that the practice could be sustainable) in defense of it.⁵¹

Nelson’s peripheral political activity was cause for some concern as well. He was a registered Democrat, active in local party politics, serving on the local County Central Committee. He had also served on the Mendocino County Private Industry Council as

⁴⁴ Maurer, May 1988, op. cit.

⁴⁵ Soukup, June 3, 1988, op. cit.

⁴⁶ “IWA Local Supports Tougher Timber Cutting Regulations”, press release, *North Coast News*, July 1, 1987.

⁴⁷ “Why I Support the Forest Practice Ordinance”, letter to the editor by Don Nelson, *Mendocino Commentary*, March 3, 1988.

⁴⁸ Earth News, March 31, 1988, op. cit.

⁴⁹ “Local IWA Considers Forestry Legislation”, press release, *Mendocino Commentary*, March 3, 1988.

⁵⁰ “Coastal Waves: an Occasional Column”, by Ron Guenther, *Mendocino Commentary*, May 12, 1988.

⁵¹ “Don Nelson: Candidate for Supervisor, 4th District”, interview by Beth Bosk, *New Settler Interview*, issue #31, May 1988.

well as the Mendocino County Overall Economic Development Plan Committee, which certainly gave him connections and knowledge of County affairs.⁵² However, all of his political activity severely limited the amount of time he devoted to bread and butter union issues, which was a growing bone of contention among the rank and file of his union.⁵³ Nelson supported Jesse Jackson's run for the Democratic Party nomination, partly due to the latter's support of the IWA in a labor dispute with timber corporation Champion International in Newberg, South Carolina.⁵⁴ However, Nelson and his IWA local also endorsed Doug Bosco over the congressman's opponents.⁵⁵ Nelson defended his inconsistencies as the art of being a negotiator and forging deals between divergent factions, and he cited his experience as a union representative as evidence, but such "negotiations" were usually in the service of making deals with the boss.⁵⁶ When the chips were down, Don Nelson was a typical politician and a quintessential machine Democrat.

Despite Nelson's shortcomings, the consensus opinion among Mendocino County environmentalists was that he represented the best candidate to replace the thoroughly conservative Cimolino. Nelson's endorsers among the local green community included his son, Crawdad Nelson, (a former G-P millworker turned Earth Firster)⁵⁷, Beth Bosk, (who published the *New Settler Interview*, which was often the voice of the local back-to-the-land community).⁵⁸ Nelson co-hosted a weekly labor oriented radio program on local station KMFB in Fort Bragg with Roanne Withers, who also supported his campaign, even though she had endorsed Lionel Gambill over Bosco.⁵⁹

Nelson's primary challenger, Liz Henry, was slightly more progressive on many issues, though much less experienced, and perhaps too quick to align herself with the Chamber of Commerce on coastal development, an anathema to most local greens.⁶⁰ Liz Henry's husband, Norm Henry, was a registered professional forester with the California Department of Forestry, and had a more or less conventional view on logging (taking the current corporate driven boom and bust system as a given) but Liz was

⁵² "Worker Rep Candidate", by Don Nelson, *Country Activist*, February 1988.

⁵³ "IWA Rank-and-File Union Millworkers Reply: Victims of G-P's Fort Bragg Mill PCP Spill Speak Out", by Ron Atkinson, et. al., *Anderson Valley Advertiser*, December 13, 1989; *Mendocino Commentary*, December 14, 1989; and *Industrial Worker*, January 1990.

⁵⁴ "Don Nelson's Speech at the Jesse Jackson Rally", reprinted in the *Mendocino Commentary*, March 31, 1988; Jesse Jackson's speech itself was published in the *Country Activist* in the April 1988 issue.

⁵⁵ "Here and There in Mendocino County", by Bruce Anderson, *Anderson Valley Advertiser*, May 25, 1988.

⁵⁶ Bosk, May 1988, op. cit.

⁵⁷ "Dad for Supervisor", by Crawdad Nelson, *New Settler Interview*, issue #31, May 1988.

⁵⁸ "Afterwords", by Beth Bosk, *New Settler Interview*, issue #31, May 1988; Bosk also endorsed John Maurer.

⁵⁹ "Working for Wages", by Roanne Withers, *Mendocino Commentary*, July 2, 1988.

⁶⁰ "Afterwords", by Beth Bosk, *New Settler Interview*, issue #31, May 1988; and "Coastal Waves: an Occasional Column", by Ron Guenther, *Mendocino Commentary*, May 12, 1988.

fairly strong on forest preservation issues.⁶¹ Complicating matters further, IWA Local #3-469 and Don Nelson endorsed Mendocino County Measure B, also endorsed by most local environmentalists, which proposed significantly tougher timber harvest regulations⁶², and challenged G-P to a debate when the latter claimed that the measure would threaten jobs; G-P declined.⁶³ It was by no means an easy choice for the environmental community to decide between Nelson and Henry, but all agreed that either candidate was a far superior alternative to Azevedo.

* * * * *

Cherney's and King's run for office by no means took energy away from Earth First!'s campaign of direct actions against Maxxam or the other Corporate Timber giants; indeed the actions and the election campaigns dovetailed fairly well, at least in matters of raising public awareness. The two launched their campaigns in Earth First! style by crashing a political function organized by Dan Hauser and then-Speaker of the California State Assembly, Willie Brown, at the Mendocino Hotel on December 7, 1987. The hotel was notorious for class discrimination, having a virtual caste system where housekeeping employees were not even allowed to enter the building through its main entrance. Cherney argued, "That Hauser and Brown would meet in such a 'den of inequity' is an insult to all working people!"⁶⁴

One month later, Darryl Cherney took part in a protest in the Big Apple at the New York Stock Exchange. About 20 demonstrators gathered for a lunchtime demonstration on January 13, 1988. The group picketed the building, carrying banners with slogans that included "Wall Street Out of the Wilderness" and "The Real Crash: Deforestation". Some of the signs were attached to discarded Christmas trees symbolizing Maxxam's callous use of the forests. Cherney described the mood of the passersby as curious. However John Campbell, speaking for Pacific Lumber from Scotia retorted, "I personally don't think it will have any effect," and went on to accuse the demonstrators of putting environmental concerns ahead of human issues.⁶⁵

North Coast Earth First! then unveiled its Headwaters Forest Complex Proposal.⁶⁶ The proposal was actually the project of two Humboldt State University forestry students, Earth First!ers Larry Evans and Todd Swarthout. It called for acquisition and preservation of 98,000 acres of wilderness areas in Humboldt County, 31,000 of which were part of the Pacific Lumber holdings, a 3,000 acre Headwaters Forest preserve, and protection of south Humboldt Bay, Table Bluff, most of the Eel River Delta through

⁶¹ "Lisa Henry on her 22nd Birthday", Interview by Beth Bosk, *New Settler Interview*, January 1991.

⁶² "IWA Reaffirms Support for Measure B", press release, *Anderson Valley Advertiser*, May 25, 1988.

⁶³ "Put Up or Shut Up", letter to the editor by Don Nelson, *Anderson Valley Advertiser*, May 25, 1988.

⁶⁴ Cherney and King, December 1987, op. cit.

⁶⁵ "Earth First! Activist Joins New York Protest," by Marie Gravelle, *Eureka Times-Standard*, January 14, 1988.

⁶⁶ "Earth First! Proposes Redwood Wilderness", North Coast Earth First! press release, *Earth First! Journal*, Eostar / March 20, 1988.

voluntary conservation easements.⁶⁷ The project still allowed for sustainable logging in other areas, and it earned the support of mainstream environmentalists, including the Redwood Chapter of the Sierra Club, whose chair, Jim Owens urged the state's regional organization to support it as well, declaring, "These measures are essential to fight Maxxam's clearcutting of PALCO's old growth." As was to be expected, Maxxam, along with other timber companies, who stood to lose access to a huge source of potential short term revenue, opposed the measure, claiming that it would result in layoffs and possible permanent loss of jobs.⁶⁸ Similar claims had been made by Corporate Timber, especially GP and LP, about Redwood Regional Park, but had never come to pass.⁶⁹ The *Humboldt Beacon and Fortuna Advance*—no doubt speaking the thoughts of Maxxam and other corporate interests—editorialized against the proposal opining:

"Humboldt County is already awash in county and federal parks: another Redwood National Park-type plot of land taken off the tax rolls to supply the needs of a few hundred backpackers is certainly not needed at a time when the county is scrapping for funds to support needed services. Besides, no clear method of acquiring the 96,000 acres was mentioned—or who would pay for it."⁷⁰

Earth First!'s proposal both drew attention to, and drew fire away from, Proposition 70, the Wildlife, Coastal and Parkland Conservation Bond Act. The \$776 bond measure, sponsored by veterans of the decade-long struggle to preserve the Sinkyone, proposed allocating money to various counties for park improvements and wilderness preservation efforts.⁷¹ In Humboldt County, specifically, the measure would allocate \$197,000 to the County itself, \$27,000 to Fortuna, \$20,000 to Ferndale, \$20,000 to Rio Dell, and \$20,000 to the Rohner Regional Park District. The money would be reserved for development, rehabilitation, restoration, or acquisition of parks, beaches, wildlife habitat, or recreation depending on the situation. The funds would mostly be spent by various departments of parks and recreation, the State Wildlife Conservation Board, and the State Coastal Conservancy. Portions of the funds would then be funneled to various nonprofit groups where appropriate, such as the Sanctuary Forest group of Southern Humboldt, which was slated to receive \$4 million for the preservation of land owned by Eel River Sawmills near Whitethorn.⁷²

⁶⁷ "Fish & Game Axes Clearcuts", *EcoNews*, January 1988.

⁶⁸ "A Bad Proposal for Humboldt", editorial, *Humboldt Beacon and Fortuna Advance*, May 10, 1988.

⁶⁹ "Timber Outlook", by Bob Martel, *Country Activist*, June 1988.

⁷⁰ "A Bad Proposal for Humboldt", editorial, *Humboldt Beacon and Fortuna Advance*, May 10, 1988.

⁷¹ "Triple Victory in 'Three Day Revolution'", by Darryl Cherney, *Earth First! Journal*, Dec. 21 (Yule), 1988 (also published in the *Anderson Valley Advertiser*; and in the *Country Activist* under the alternate title "The Cahto Story" in the Feb. 1989 and March 1989 issues.

⁷² "Humboldt Voters Focus on Prop 70", by Marialyce Pedersen, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

The measure's supporters included environmentalists, naturally, and even though it had nothing to do with Earth First!'s Headwaters Forest Wilderness Complex proposal, many of the same environmentalists that supported the latter also supported Proposition 70. *Country Activist* coeditor and EPIC spokesman Bob Martel declared:

"We're definitely for it. It means the area we call Sanctuary will be preserved. It's a critical area. We look forward to it passing. It's the first time in a long time the people have put a bond measure on the ballot, and we think it reflects the attitude of the country, which is three-to-one for preserving old-growth."⁷³

Like the Headwaters proposal, Proposition 70 was opposed primarily by Corporate Timber as well as Corporate Agribusiness. In Humboldt County, Pacific Lumber, Eel River Sawmills, the California Farm Bureau, and the Cattlemen's Association led the opposition, and often—for the sake of defeating both measures—they conflated the two. These interests framed their opposition as challenging government "land grabs" (which was ironic given the origins of their current holdings) opposing a wasteful boondoggle, and the removal of lands from productive usage.⁷⁴ Harold Pritchard opposed both Earth First!'s Headwaters proposal and Proposition 70 vehemently to the point of running ads against them as part of his reelection campaign.⁷⁵ However, like the Headwaters proposal, the likelihood was that the long term yield from more sustainable practices—as opposed to short term profit—would be greater, though of course this didn't serve the interests of the capitalist class. Furthermore, Proposition 70 supporter Rex Rathburn of Petrolia, a member of the group Californians for Parks and Wildlife, pointed out that the land acquisitions covered under the initiative could only come from a willing seller. There were no calls for the use of eminent domain in the measure.⁷⁶

Among the reasons given by Pacific Lumber as arguments against the necessity of either the Headwaters Wilderness Complex proposal and Proposition 70, is that it replanted new trees each time they logged the old ones. What they neglected to mention is that such efforts were rarely—if ever—effective. In response, on March 6, 1988, accompanied by *NBC National News*, 17 Earth First!ers marched onto Pacific Lumber land and planted 400 redwood and Douglas fir saplings in a clearcut near All Species Grove "to show Maxxam how to get it right." They were met by Carl Anderson and P-L security who escorted the Earth First!ers and reporters off the property, but made no arrests.⁷⁷ In retaliation Pacific Lumber attempted to sue the activists for

⁷³ Pedersen, June 3, 1988, op. cit.

⁷⁴ Pedersen, June 3, 1988, op. cit.

⁷⁵ "The Real Issue Here is Jobs", paid advertisement, various publications, including *Humboldt Beacon and Fortuna Advance*, May 24, 1988.

⁷⁶ Pedersen, June 3, 1988, op. cit.

⁷⁷ "Guerilla Tree Planters Invade Maxxam Clearcut", press release, *Mendocino Commentary*, March 17, 1988.

damages on March 30.⁷⁸ The company admitted that they lost no money from the action, but they asked the courts to bar Cherney and fourteen “John and Jane Does” from trespassing on the company’s land anyway, claiming that this was necessary to prevent potential protesters from suing the company should they be injured while on private property.⁷⁹ This was rather dubious logic, and it was more likely that Maxxam was primarily interested in controlling the message.⁸⁰ Unfazed, Darryl Cherney replied, “I am actually quite happy to be sued by Maxxam. Now the voters will know where I stand.”⁸¹ He further boasted that he safely say that he was the only candidate currently running who had been sued for planting trees.⁸²

A week later, the CDF granted P-L permission to log two sites in All Species Grove, and EPIC sued to stop them. Judge Buffington delayed issuing a TRO, and in response, Darryl Cherney declared that of the former didn’t issue a ruling by April 12, he would trespass on P-L land again the next day and serenade the loggers.⁸³ In anticipation of the protest, three Earth First!ers conducted another tree sit, in All Species Grove. Unfortunately, this effort garnered insufficient media attention, so Greg King decided to organize yet another tree sit in a much more noticeable location, in this case, between a pair of redwood trees straddling US 101 in Humboldt Redwoods State Park. The second crew hung a traverse line and a 20 x 50 foot banner reading “SAVE PRIMEVAL FOREST – AXE MAXXAM – EARTH FIRST!” across the roadway, and King traversed the line waiting for a fellow activist photographer to arrive to take a picture for the local press. King’s support crew then concealed themselves in the dense forest reserve away from the roadway.⁸⁴

The tree sit was primarily intended as little more than a photo-op, but it quickly evolved into a near melee. King’s photographer ran late, and so the activist hung in midair waving to the passing motorists, some of whom honked in sympathy while others returned King’s friendly waves with middle finger gestures. When a passing California Highway Patrol officer arrived and demanded that King stand down and lower the banner, the Earth First!er (whose support crew waited hidden nearby) responded that he could not, because doing so was a two person job. A second CHP officer arrived, followed by a CalTrans service truck, but instead of attempting to arrest and detain King, they simply waited. For whom was not readily apparent, but in time, Climber Dan Collings arrived in his pickup truck and, unlike his earlier cordial but adversarial

⁷⁸ “Guerillas Plant Redwoods”, by Berberis Nervose, *Earth First! Journal*, Beltane / May 1, 1988.

⁷⁹ “Pacific Lumber Files Suit to Keep Protesters Off its Land”, by Mark Rathjen, *Eureka Times-Standard*, April 8, 1988.

⁸⁰ Nervose, May 1, 1988, op. cit.

⁸¹ Rathjen, April 8, 1988, op. cit.

⁸² “Darryl Cherney Runs for Congress”, staff report, *Earth First! Journal*, Mabon / May 1, 1988.

⁸³ Rathjen, April 8, 1988, op. cit.

⁸⁴ Harris, David, *The Last Stand: The War between Wall Street and Main Street over California’s Ancient Redwoods*, New York, NY, Random House, 1995, Pages 227-29.

standoff with King, this time he was not so forgiving. He emerged from his vehicle cussing wildly at King, declaring,

“You fucking Earth First!ers wouldn’t know old growth redwoods if they fell on you! Your goddamned propaganda has gone too far! You get your faces in the newspaper and play God with my job while people like me do the real work and pay for your goddamned welfare checks!”⁸⁵

The climber then ascended about halfway up one of the pair of trees from which the banner hung, faster than any Earth First!er had ever done and—at this point—gestured with his knife as if he intended to cut down King’s traverse line. “You’d better stay away from my traverse line. If you cut that, I may wind up splattered all over somebody’s vehicle below!” shouted King.

“Stop your fucking sniveling! I can cut that banner down without so much as putting a nick in your damn lifeline, and that banner is going! I’ve had it up to HERE with all of your fucking propaganda!” countered Collings, who continued his rapid ascent up the tree.

“Is he with you?” shouted the CHP officer to King through his bullhorn, gesturing towards the climber.

“I don’t know him,” responded King, “but I think he might cut my lifeline!”

At this point the officer sped over to the tree being climbed by Collings and ordered the latter to halt or face arrest. Begrudgingly, the climber halted his ascent, shouting, “Unlike you fucking Earth First!ers, I have a real job and cannot afford to get arrested. There’s no welfare taking care of me!”

By now, the photographer finally showed up, and snapped his photo, and King stood down voluntarily. The CHP cited him for illegally hanging a sign on a federal highway, but he was released without bail, and the photographs ran in numerous local periodicals the next day as well as a major magazine soon after that.⁸⁶

Bolstered by this occurrence, the next day 75 demonstrators, 40 of whom were willing to risk arrest, assembled as promised. The Earth First!ers split into four separate groups and entered the All Species Grove from four different directions.⁸⁷ Those that reached the grove dialogued with loggers and some of them attempted to halt a logging truck before being arrested by Humboldt County sheriffs. Others weren’t as lucky. At least 31 of them were thwarted from reaching the logging site, when Humboldt County sheriffs spotted them on adjoining land and asked them to disperse, which they did. 30 more were escorted from P-L land upon being discovered.⁸⁸ Darryl Cherney did indeed attempt to serenade the loggers with his signature song, “*We Are We Gonna Work When the Trees Are Gone?*”, but he was arrested before he could complete it.⁸⁹ Before

⁸⁵ Harris, op. cit.

⁸⁶ Harris, op. cit.

⁸⁷ Nervose, May 1, 1988, op. cit.

⁸⁸ “20 Arrested in Kneeland Anti-Logging Protest”, *Eureka Times-Standard*, April 14, 1988.

⁸⁹ Nervose, May 1, 1988, op. cit.

he began, some loggers accused him of being on welfare, a charge Cherney denied. Even though he was interrupted and denigrated, the activist declared, “We were able to offer our opinions to those falling the trees, and even if they don’t agree with us, they know that there are people who care about cutting old growth redwoods.”⁹⁰ The action was successful in two other regards: there was no violence, and in spite of the arrests, enough demonstrators had reached the site to halt logging for the day.⁹¹

* * * * *

At this point, rumors grew that Hurwitz was engaged in yet another shady takeover attempt and he was using Pacific Lumber as collateral. The rumblings began when the company’s debt rating was downgraded by Standard & Poor first to “B-minus”, followed by “triple-C.” Prior to the Maxxam takeover, its rating had been “A-plus”. Maxxam had recently merged with its cash-poor subsidiary, MCO, but the change indicated other activity.⁹² The debt rating agency declared that the change “(reflected) the perceived need, ability, and willingness of management to upstream cash from Maxxam to its parent company holdings.” In a press release issued on April 4, 1988, John Campbell declared that Pacific Lumber had strict “covenants” in place to restrict its ability to pay cash dividends to Maxxam.⁹³

Evidently these “covenants” mattered little. As it turned out Hurwitz *was* using cash diverted from Pacific Lumber in yet another suspicious takeover attempt. This time, in a development eerily similar to the folding of Pacific Lumber’s old guard, Kaiser Aluminum’s board of directors accepted a \$871.9 million leveraged buyout bid from Maxxam. Essentially demonstrating that Hurwitz lacked any concrete knowledge of the aluminum business and was purely concerned about quick profits, he retained the top executives to help him run the company promising them 15 percent ownership. And, following the pattern of the takeover at P-L, Maxxam hinted they might sell some of Kaiser’s aluminum operations in West Virginia, Ohio, and Indiana, as well as an electrical products line and various real estate holdings. After Maxxam’s acquisition, Kaiser’s debt doubled to over \$1.5 billion. In the September 1988 quarterly report filed by Pacific Lumber, the company admitted that Maxxam *did indeed* use \$24.5 million from its forest products division to take over the then 57-year-old company.⁹⁴ It was a case of *déjà vu* all over again.

* * * * *

In spite of these developments, the tide of public and legal opposition continued to rise against Hurwitz and Maxxam still further. Less than a week after the tree sits and trespass, in a stunningly unprecedented move, CDF director Jerry Partain denied three THPs, including two filed by Pacific Lumber on the grounds that P-L had failed

⁹⁰ “20 Arrested in Kneeland Anti-Logging Protest”, *Eureka Times-Standard*, April 14, 1988.

⁹¹ Nervose, May 1, 1988, op. cit.

⁹² “Old-Growth Logging Suspended”, by Andy Alm, *EcoNews*, May 1988.

⁹³ “Pacific Lumber Co. Denies Money Diversion to Maxxam”, *Eureka Times-Standard*, April 16, 1988.

⁹⁴ “P-L Helps Hurwitz Buy Kaisertech”, *Takeback*, Volume 1, #1. February 1989.

to consider the cumulative impacts of their proposed timber harvest on the area's wildlife. The two THPs included the Shaw Creek cut opposed by Concerned Earth Scientist Researchers and the Lawrence Creek cut. Up to 100 acres from both THP were slated for clearcutting according to Ross Johnson. P-L officials issued a written statement a few days later expressing their surprise at the decision, arguing that the THPs included all of the information required by the Board of Forestry under Z'berg Nejedley, or at least required according to then *past practices*. Indeed, Partain was not known for being anything but sympathetic to Corporate Timber, and the company suspected that his apparent change of heart had more to do with political and legal pressure than anything else. Seeming to confirm this suspicion, Ross Johnson declared, "Because we've had so many lawsuits, we're being more thorough in our review of these timber harvest plans. I guess you could give credit to these environmental groups. If we keep getting beat up on, we'll continue to do a better job."⁹⁵ It was more accurate to ascribe Partain's change of position to *legal* pressure, however, because, as the CDF director so bluntly pointed out, "If we did not act on the advice of Fish and Game, we would be in a very weak position to defend ourselves in court."⁹⁶

That wasn't to be the last of it, because on April 25, Judge Buffington finally issued a TRO order against further logging in All Species Grove, though by that time, too much damage had already been done. In a later visit to the contested site, Earth First!ers discovered huge pieces of broken logs strewn about a nearly vertical eroded slope as well as a brand new road cut into the north bank of All Species Creek. Pacific Lumber had instead begun a new 263-acre clearcut adjacent to one just halted by the TRO. On April 28, various Earth First! chapters in Redwood Country and the EF! Nomadic Action Group offered a \$1,000 reward for information leading to the arrest and conviction of Charles Hurwitz for its corporate crimes and crimes against nature. Then, on May 5, in a clear case of legal sleight of hand, P-L requested permission from the court to remove all of the trees they had already cut prior to the TRO, and—naturally—to facilitate *that*, they would need to cut down old growth trees that just happened to "be in the way". At the very least, the so-called wheels of justice turned in favor of Earth First! at least in one instance that day, as the near dozen activists facing charges from the May 1987 *Week of Outrage* received plea-bargain sentences of required community service as well as injunctions against entering P-L property. Also, no charges were ever filed against the arrestees in the recent All Species Grove actions.⁹⁷ Although EPIC's and Earth First!'s had only been partially successful, the potential for them to build upon them was evident. Pacific Lumber was already organizing its response.

⁹⁵ "P-L Plans for Cutting Old Growth Under Fire", by Howard Davidson, *Eureka Times-Standard*, April 22, 1988.

⁹⁶ "Old-Growth Logging Suspended", by Andy Alm, *EcoNews*, May 1988.

⁹⁷ "New Battles in the Maxxam Campaign", by Greg King and Berberis Nervose, *Earth First! Journal*, Litha / June 21, 1988.

9. And they Spewed Out their Hatred

“We are witnessing the biggest assault in 20 years on the remaining ancient forests of the Pacific Northwest, and the rhetoric could hardly be more Orwellian as far as the environment is concerned.”

—North Coast Environmental Center director Tim McKay, June 1988¹

“PAY NO ATTENTION TO THE MAN BEHIND THE CURTAIN!” shouts *Oz, the Great and Terrible* in the theatrical version of *The Wonderful Wizard of Oz*, just after Dorothy’s dog, Toto, pulls aside the screen exposing the simple man-who-would-be-wizard. As elaborate a ruse as it was, L Frank Baum’s loveable humbug couldn’t hold a candle to the heads of modern corporations. Corporate Timber maintained economic and political control over the Pacific Northwest using the many methods to manufacture consent, including: the concentration of timber holdings and production capital (namely mills and milling equipment) in the hands of a few corporations; reliance on gyppo logging firms and either nonunion millworkers or millworkers with mostly compliant union representation; insurance of the gyppos’ loyalty through forestry and bidding practices that made the latter financially dependent upon the corporations; dominance of regulatory agencies by subservient or likeminded officials, sometimes even former timber executives; ideological and financial domination over timber dependent communities, their public institutions, and their locally elected officials; the donation of just enough charitable contributions to those often financially starved institutions as a “carrot”; the threat of capital flight—which was becoming increasingly feasible due to new technologies—as a “stick”; appeals to cultural ideals particular to the region, namely rugged individualism, cultural conservatism, and private property; and the establishment of ostensibly grassroots false front groups to foster the illusion of populist counter-opposition to the corporations’ political opponents.² In the spring of 1988, Pacific Lumber used this last tool extensively.

¹ “Newspeak”, by Tim McKay, *EcoNews*, June 1988.

² “Timber Wars: Footloose Wobs Urgently Needed”, by Judi Bari, *Industrial Worker*, October 1989; Deal, Carl, *The Greenpeace Guide to Anti-Environmental Organizations*, Berkeley, CA., Odonian Press - The Real Story series, 1993, pages 7-22; and 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, *passim*.

After Jerry Partain rejected the Shaw Creek and Lawrence Creek THPs proposed by Pacific Lumber, the following letter by Ramona Moore appeared in the *Eureka Times-Standard* and the *Humboldt Beacon and Fortuna Advance*:

"I've lived in Humboldt County since 1954 and have been employed at the Pacific Lumber Company for 24 years, and my husband for 29 years. Our four children were raised in Scotia...

"We take great pride in knowing we have always paid our full share of taxes, never drawn welfare funds nor filed unemployment because we didn't want to work, and contributed what we could to charitable organizations. What have Earth First and EPIC people contributed? They have opposed everything from importing bananas to cutting trees and are only for legalizing marijuana. They are mostly unemployed which means they are drawing unemployment benefits or on welfare, and maybe growing 'pot' to supplement their income. They certainly are not paying federal, state, and county taxes...

"...We have to work for our living and whether they realize it or not, it's our work and contributions in taxes that allows them the benefits they're living on. So what gives them the right to play God with our future?

"Humboldt County relies on fishing, tourism, and timber (a renewable resource) for their livelihood. If Earth First and EPIC people win their endeavors, none of these things will be available. Pacific Lumber contributes \$30 million in wages yearly, and millions are contributed in taxes. If this is taken from the community and thousands of people are without work, only one thing can happen—disaster!"³

This was but one of many very similar letters published between April 19 and June 10, 1988, including those by Steve White, published in the *Eureka Times-Standard*, April 19, 1988⁴; Dann Johnson, *Times-Standard* on April 23, 1988⁵; Rodney and Melodee Sanderson, *Humboldt Beacon and Fortuna Advance* on May 10, 1988⁶; Richard Adams⁷ and Lee Ann Walstrom⁸, *Times-Standard*, May 21, 1988; Samuel and Linda

³ Letter to the editor by Ramona Moore, *Eureka Times-Standard*, May 23, 1988 ("Put a Stop to Protesters"); and *Humboldt Beacon and Fortuna Advance*, May 27, 1988 ("Proud of Their Timber Heritage").

⁴ "EPIC is Wreaking Havoc on Area", letter to the editor by Steve White, *Eureka Times-Standard*, April 19, 1988.

⁵ "Trespassers Must be Penalized", letter to the editor by Donn Johnson, *Eureka Times-Standard*, April 23, 1988.

⁶ "Support the Timber Industry", letter to the editor by Rodney and Melodee Sanderson, *Humboldt Beacon and Fortuna Advance*, May 10, 1988.

⁷ "Loggers Do not Hurt Environment", letter to the editor by Richard Adams, *Eureka Times-Standard*, May 21, 1988.

⁸ "Keep Pacific Lumber Operating", letter to the editor by Lee Ann Walstrom, *Eureka Times-Standard*, May 21, 1988.

Bartlett⁹, Mary L. Fowler¹⁰, Kevin Morris¹¹, Nita M Whitaker¹², Keith Kersell¹³, and Lee Ann Walstrum¹⁴, *Beacon and Fortuna Advance*, May 22, 1988; Gaird Hamilton, *Times-Standard*, May 23, 1988¹⁵; Lynda Lyons, *Times-Standard*, May 24, 1988¹⁶; Richard Ward¹⁷ and Fred Johnson¹⁸, *Times-Standard*, May 25, 1988; Forrest Johnson, *Times-Standard*, May 26, 1988¹⁹; Dennis Coleman, *Times-Standard*, May 27, 1988²⁰; Raymond Davis²¹, Jeff and Sherrin Erickson²², and Gary L Wyatt²³, *Beacon and Fortuna Advance*, May 27, 1988; Deborah August of Eureka²⁴, Ken Cress²⁵, and Jim

⁹ “What Will Become of Humboldt County?”, letter to the editor by Samuel and Linda Bartlett, *Humboldt Beacon and Fortuna Advance*, May 22, 1988. Their letter was also published as “We Must Stop the Environmentalists”, *Eureka Times-Standard*, May 26, 1988.

¹⁰ “Future Dreams are in Jeopardy”, letter to the editor by Mary L. Fowler, *Humboldt Beacon and Fortuna Advance*, May 22, 1988.

¹¹ “A Sad Bunch of Ignorant Hicks”, letter to the editor by Kevin Morris, *Humboldt Beacon and Fortuna Advance*, May 22, 1988. A similar but distinct letter appeared in the *Eureka Times-Standard*, May 27, 1988 (“We Need More, Not Less, Industry”).

¹² “Timber Industry Under Attack”, letter to the editor by Nita M. Whitaker, *Humboldt Beacon and Fortuna Advance*, May 22, 1988.

¹³ “Meeting the Whims of a Vocal Few”, letter to the editor by Keith Kersell, *Humboldt Beacon and Fortuna Advance*, May 22, 1988.

¹⁴ “Unwarranted Attack on PL”, letter to the editor by Lee Ann Walstrum, *Humboldt Beacon and Fortuna Advance*, May 20, 1988.

¹⁵ “Pacific Lumber is Private Land”, letter to the editor by Gaird Hamilton, *Eureka Times-Standard*, May 23, 1988.

¹⁶ “Enough Trees are Protected”, letter to the editor by Linda Lyons, *Eureka Times-Standard*, May 24, 1988.

¹⁷ “County Would Be Hurt by P-L Closure”, letter to the editor by Richard L Ward, *Eureka Times-Standard*, May 25, 1988.

¹⁸ “PL Takes Good Care of its Land”, letter to the editor by Fred Johnson, *Eureka Times-Standard*, May 25, 1988.

¹⁹ “You Can’t Ignore Earth First”, letter to the editor by Forrest Johnson, *Eureka Times-Standard*, May 26, 1988.

²⁰ “We’ve Got Enough Wilderness”, letter to the editor by Dennis H. Coleman, *Eureka Times-Standard*, May 27, 1988.

²¹ “Voting Taxpayers Out of Work”, letter to the editor by Raymond C. Davis, *Humboldt Beacon and Fortuna Advance*, May 27, 1988.

²² “Environmentalists are At it Again”, letter to the editor by Jeff and Sherrin Erickson, *Humboldt Beacon and Fortuna Advance*, May 27, 1988.

²³ “Take a Stand for Workers”, letter to the editor by Gary L Wyatt, *Humboldt Beacon and Fortuna Advance*, May 27, 1988.

²⁴ “Earth First!ers are a Real Threat”, letter to the editor by Deborah August, *Eureka Times-Standard*, May 28, 1988.

²⁵ “Get Rid of Earth First!ers” letter to the editor by Ken Cress, *Eureka Times-Standard*, May 28, 1988.

Scaife²⁶, *Eureka Times-Standard*, May 28, 1988; Linda Bartlett (again)²⁷, Allan E. Barrote²⁸, Josh and Betty Edwards²⁹, Vanessa Frederickson³⁰ Mohota Jean Pollard and Donald H. Pollard³¹, and Dee Weeks and family (sic)³², *Beacon and Fortuna Advance*, June 3, 1988; and James Ober³³ and Cindy Cardoza Tyler³⁴, *Beacon and Fortuna Advance* on June 10, 1988. The *Humboldt Beacon and Fortuna Advance* commented that the sheer volume of letters was unusual.³⁵ Even the owner of the Chevron gas station in Scotia got into the act.³⁶

The letters were all remarkably similar to each other, even to the extent that they were more or less interchangeable (and, interestingly—and quite likely not coincidentally—they match “Climber Dan’s” more confrontational words to Greg King as described in the previous chapter). A generic example of any one of these letters read like this:

“My name is (insert name here). I (or my spouse) have worked for (this or that timber company) for x-dozen years. I, my spouse, and my 2.53 children are god fearing Americans who have lived in (the local company town) for several decades. (The timber company for which I work) contributes \$100,000s annually in taxes to the local economy and employs 100s of workers in our county. (Our company) plants 5 trees for every tree they cut down.

²⁶ “Lumber Cutbacks Will Hurt Everybody”, letter to the editor by Jim Scaife, *Eureka Times-Standard*, May 28, 1988.

²⁷ “People and Jobs are Important”, letter to the editor by Linda Bartlett, *Humboldt Beacon and Fortuna Advance*, June 3, 1988. Bartlett was also part of yet another front group known as “Concerned Citizens of Humboldt County.”

²⁸ “A Challenge to Humboldt Residents”, letter to the editor by Allan E. Barrote, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

²⁹ “Don’t Kill Our Future”, letter to the editor by Josh and Betty Edwards, *Humboldt Beacon and Fortuna Advance*, June 3, 1988. This same letter appeared in the *Eureka Times-Standard*, May 27, 1988 (“Loss of P-L Jobs Would Be Terrible”).

³⁰ “Putting Our Future on the Line”, letter to the editor by Vanessa Frederickson, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

³¹ “Turning the Area into a Ghost Town”, letter to the editor by Mohota Jean Pollard and Donald H. Pollard, *Humboldt Beacon and Fortuna Advance*, June 3, 1988; the same letter appeared in the *Eureka Times-Standard* (“We’ve Got Enough Parkland”), on May 29, 1988.

³² “Timber Harvests Affect Everyone”, letter to the editor by Dee Weeks and family, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

³³ “Drawing the Battle Lines”, letter to the editor by Jim Ober, *Humboldt Beacon and Fortuna Advance*, June 10, 1988.

³⁴ “PL Provides Jobs, Security”, letter to the editor by Linda Cardoza Tyler, *Humboldt Beacon and Fortuna Advance*, June 10, 1988.

³⁵ “Letters Crowd Out Columns”, *Humboldt Beacon and Fortuna Advance*, May 27, 1988.

³⁶ Letter to the editor by Ademar D. Freitas, *Eureka Times-Standard* (“EPIC Lawsuits are Harassment”); and , *Humboldt Beacon and Fortuna Advance* (“Resents Arrogance on Timber Plans”), both April 22, 1988.

“Recently a small group of extremists who aren’t even residents of our county have hijacked local and state government agencies responsible for managing our timber resources, including the CDF, and have bullied them into rejecting dozens of THPs through the use of frivolous lawsuits. These THPs are no different than the ones the CDF have approved for years. Many of the forests that our company logged a generation or two ago have grown back completely and there are more trees growing in our county than ever before!

“These so-called environmentalists belong to radical eco-terrorist fringe groups like Earth First! and EPIC. Their members don’t work, don’t pay taxes, and probably raise their money by growing and selling marijuana.

“Now these extremists are proposing to take our private property and give it to government in a communistic land-grab for what they are calling a “wilderness complex”. However, there are already more than enough red-wood trees preserved in parks. If these extremists have their way, they will stop at nothing until they have halted all logging and destroyed the economy of our hard working community!”

None of these claims were remotely true, and they were obviously derived from a single source, perhaps even a form letter that suggested using any or all of these talking points. Clearly this was a case of manufactured hysteria, and it was not difficult to guess who was responsible.

By this time, Earth First! had grown accustomed to such smear campaigns against them. In fact, one year previously, about six months after the accident that injured George Alexander, they had been accused—mostly by Louisiana-Pacific—of interfering with the fighting of forest fires by filing appeals to that corporation’s THPs during raging summer conflagrations. This was rhetorical nonsense, of course. Earth First! could have challenged every THP ever filed and it would have had no appreciable effect on the forest fires, since the CDF’s firefighters are not generally in the business of reviewing logging plans, but it didn’t really matter. L-P’s goal in making such claims was frame Earth First! as an uncaring, disruptive force, which couldn’t have been further from the truth, as Darryl Cherney had attempted to show:

“Those depicting Earth First!ers as dope-growing welfare recipients against all logging do so out of fear. We are employed, educated, and *pro-logging*. We are against wholesale rape of the earth and abuse of wildlife and human life. Selective cutting, as P-L once did, is closer to our vision, but at this point, the logging of old-growth must stop. The 90 percent we’ve cut, we’ve squandered. We deserve no more.

We are not anti-jobs. We rely on the economy too...Many here are tied to timber, with no free speech to criticize the industry. Don't blame lost jobs on environmentalists when automation and over-cutting are the causes."³⁷

Cherney's frustrations were quite understandable, of course, because by the late 1980s, it was standard practice for Corporate Timber's amen corner to shift the blame for all of the timber industry's ills to "unwashed-out-of-town-jobless-hippies-on-drugs" to the point of absurdity.³⁸

The most recent barrage of letters had been ostensibly organized by a group of P-L workers who freely supported Maxxam and *genuinely* opposed Earth First!. A group of them had formed "Save The Employees Association" (STEAs) in May 1988 in response to the ongoing protests by Earth First!, EPIC's lawsuits challenging P-L's THPs, the recent legislation by Byron Sher and Barry Keene, Judge Buffington's TROs, The Earth First! Headwaters wilderness complex, and Jerry Partain's recent denials of a two P-L THPs. Shortly after that, the following paid advertisement in the form of yet another letter appeared in the May 10, 1988 issue of the *Humboldt Beacon and Fortuna*

³⁷ "First to Fires, Last to Log", letter to the editor by Darryl Cherney, *EcoNews*, November 1987. Emphasis added.

³⁸ For example, just in the first seven months of 1990, one could read letters and editorials such as: "Lumber Industry Knows Its Job", Letter to the editor by Charles Anderson, *Eureka Times-Standard*, January 7, 1990; "Radical Environmentalists Lack Common Sense", editorial by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, January 25, 1990; "Headwaters Forest = Mumbo Jumbo", editorial by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, February 1, 1990; "Does Anyone Care for Timber?", letter to the editor by Marilyn Stamps, *Eureka Times-Standard*, February 11, 1990; "Letters Represent Support Plea", letter to the editor by Michael J Eglin, *Humboldt Beacon and Fortuna Advance*, February 15, 1990; "Who Finances the 'Forests Forever' Initiative?", guest editorial by Robert Dean, *Humboldt Beacon and Fortuna Advance*, March 1, 1990; "Earth First is a Nuisance", letter to the editor by Nancy Del Ponte, and "Other Forms of Protest Needed", letter to the editor by J Weber, *Eureka Times-Standard*, March 4, 1990; "Cherney has Misconceptions", letter to the editor by Karen Roebuck; and "Area Citizens are Under Siege", letter to the editor by Leonard Shumard Jr., *Eureka Times-Standard*, March 10, 1990; "Earth First! Exposed", letter to the editor by William W Alexander, *Ukiah Daily Journal*, April 13, 1990; "Insincere Propaganda", letter to the editor by Michael D Frazier, *Ukiah Daily Journal*, April 16, 1990; "A Few Definitions", letter to the editor by B. J. Bell, *Ukiah Daily Journal*, April 18, 1990; "Cut Coverage", letter to the editor by Nora Hamilton, *Santa Rosa Press Democrat*, April 24, 1990; "Timber Work Threatened", letter to the editor by Associated California Loggers, Mendocino County Chapter, *Mendocino Beacon*, April 26, 1990; "Dialog Needed Now", editorial by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, April 26, 1990; "Get Angry", letter to the editor by Colleen Luttrell, *Crescent City Triplicate*, May 2, 1990; "Earth First! Subject of Poem", by Diane Mendes, John Boak, and Candace Boak, *Humboldt Beacon and Fortuna Advance*, May 24, 1990; "Disgusted at Tactics", letter to the editor by Marilyn Jones, *Ukiah Daily Journal*, May 27, 1990; "People are Important", letter to the editor by Myrna Hoven and Alice Flash, *Ukiah Daily Journal*, May 28, 1990; "A Dangerous Crop", letter to the editor by Tom Loop, *Santa Rosa Press Democrat*, June 4, 1990; "Real Motives", letter to the editor by Chester M Gillis, *Willits News*, June 6, 1990; "Timber Realities", letter to the editor by M Brown, *Santa Rosa Press Democrat*, June 13, 1990; "Redwoods, Not Pot", letter to the editor by B Stewart, *Santa Rosa Press Democrat*, June 18, 1990; "Earth First! Tactics", letter to the editor by Betty Matthews, *Ukiah Daily Journal*, June 29, 1990; and "Support for Timber", letter to the editor by Phyllis Flockton, *Santa Rosa Press Democrat*, July 10, 1990.

Advance, addressed to “Friends, Neighbors, and Businesses in Humboldt County,” from “Employees of *and Contractors to the Pacific Lumber Company*,” regarding “A Threat to the Economy of the North Coast.” It declared that the threat was not Hurwitz, but rather:

“...a group of people who want to stop timber harvesting in parts of our county. In January the Earth First! organization began lobbying legislators and candidates for office to adopt a proposal called the ‘Headwaters Forest Wilderness Complex.’ The Headwaters proposal recommends that huge amounts of privately-held timberlands, *ranchlands*, and *dairylands* in Humboldt County be removed from the tax rolls and preserved by the government as ‘wilderness’...

“Here are a few facts we think you, the people of Humboldt should know:

“1200 people are employed at the (sic) PL. The annual payroll is \$30 million.

“300 people are employed by contractors to PL. fees received annually by contractors total about \$13 million.

“PL employees *and contractor employees* spend most of their wages in this community supporting their families.

“Most of us live in Humboldt, own property here, and pay property taxes here.

“PL is one of the larger taxpayers in the county, paying approximately \$1.5 million yearly in property taxes and \$2 million in timber taxes...

“...Earth First! is threatening more than our jobs. They are threatening to undermine the tax base and the standard of living throughout the county. Few Earth First!ers even live in Humboldt County. Fewer still pay property taxes here. Earth First! isn’t helping to solve community problems. They sure aren’t acting like they understand our economy. And they don’t care about the people who live here.”³⁹

This “open letter” was signed by Employees of Pacific Lumber (without the definite article “The” preceding it. The other signers included various gyppo firms that contracted extensively with Pacific Lumber, including Lewis Logging, Lyall Logging, Rounds Logging, Van Meter Logging, Eel River Sawmills, and Don Nolan Trucking, which was not especially shocking since their profit margins benefitted from the increased harvesting Maxxam brought about. Somewhat more curious though were the (emphasized) comments about the effect of the Headwaters Wilderness Complex on ranching and dairy. These were a clear indication that the actual opposition to the

³⁹ “An open letter”, paid advertisement by Employees of the Pacific Lumber Company, et. al., *Humboldt Beacon and Fortuna Advance*, May 10, 1988.

Earth First! Headwaters Forest proposal was substantially more than that of a few pro-Maxxam timber workers. Even State Senator Barry Keene found this development highly suspicious:

“The Earth First! headwater (sic) wilderness proposal, subject to recent debate and protest is ill-conceived. If implemented, it would threaten the timber and agricultural industries in Humboldt County by removing substantial acreages of land from production...

“Yet frankly, I am puzzled why the proposal has received so much attention in the past few weeks. A copy did circulate in the Capitol some time ago, but I am unaware of anyone who has taken it seriously...

“It seems the threat from this particular proposal may have been exaggerated, and in fact may have been diversionary tactic to draw attention away from corporate shortcomings in managing the resource...

“Speeding up the old growth harvest to meet corporate debt payments only pushes us towards an inevitable drop-off in jobs. This is an issue of enormous concern to me and one that I have been working on to find solutions.

“With respect to Pacific Lumber, my complaint is not with the local managers who live in, and understand, the community. Rather it is with the long-distance corporate manipulators who perceive timber as an asset to be stripped to finance corporate dealings elsewhere. The appeals by EPIC and the denial of harvest plans by Director Partain are symptomatic of the larger issue of conversion from an old growth economy.”⁴⁰

The sudden vitriol directed at Jerry Partain was hardly justified. He was by no means an environmentalist and had, in his role as director of the CDF, fast-tracked *thousands* of THPs. He had been a P-L stockholder and cashed in handsomely when Maxxam bought the company in 1986. Since the previous July he had approved 525 out of 530 THPs in all. His characterization of environmentalists who challenged his approvals was “elements that don’t want any timber harvest at all” and “some days I think they are going to shut timber harvest (down) in California.”⁴¹ Yet, after he denied a mere *three* THPs (two of which had been submitted by P-L and one that had been filed by Eel River Sawmills) in May 1988⁴², the letters to the press by the P-L workers began. It didn’t stop there however.⁴³ The Humboldt County Supervisors, led

⁴⁰ “Keene Calls for Corporate Responsibility”, letter to the editor by Barry Keene, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

⁴¹ “CDF Director Pledges to Help Timber Interests”, *Humboldt Beacon and Fortuna Advance*, June 24, 1988.

⁴² “Community Divides Around Ancient Trees”, by Andy Alm, *EcoNews*, June 1988.

⁴³ Humboldt Beacon and Fortuna Advance, June 24, 1988, op. cit.

by Harry Pritchard—who was determined to bolster support for his reelection in his campaign against challenger John Maurer—decided to make Partain’s ruling an issue at the May 17 Supervisors’ meeting. Corporate Timber made damn sure that they were well represented at this public discussion.⁴⁴

On May 17, approximately 200-500 (depending on whose account) “pro-timber” demonstrators rallied at the Humboldt County Courthouse in Eureka. The event began with an early morning semi-truck convoy on Highway 101 south of Eureka, at least 200 rigs long stretching as far south as nearby Fields Landing.⁴⁵ The trucks rolled into Eureka and passed down the main highway approached the county courthouse downtown where the rally took place, and then circled it for two hours. The assembled crowd bore signs which read “We Pay Our Taxes”, “How Can You Replace \$10-\$16 an Hour Wages?”, and “Businesses Stand Together—Fight Socialism.”⁴⁶ Many of the demonstrators wore orange hardhats and green Earth First! shirts with a red circle and slash negation symbol covering the Earth First! raised fist logo.⁴⁷

There were a few courageous Earth First! counterdemonstrators present, but when they attempted to address the crowd, they were shouted down with chants of “Earth First! Go Home!”, not to mention the all too familiar “Go to Russia!”⁴⁸ When KVIQ TV reporter Karen Olson attempted to interview one of the environmentalists, an unidentified woman from the “pro logging” group screamed at her and ordered her to stop.⁴⁹ The event was organized by members of STEA, particularly trucking company owner Don Nolan Sr., Several businesses gave their workers the day off to attend it.⁵⁰ Pacific Lumber shut down for the day according to David Galitz, who also attended the event.⁵¹

The rally *was* attended by P-L workers, such as Cat skinner John Morrison of Hydesville, who declared, “It seems like we never get to voice our opinion...” (The hundreds of letters to the editor, the countless paid advertisements, and the favorable coverage and editorials by the corporate press evidently didn’t exist in Morrison’s universe) “...We needed to show we believed in logging. The loss of Pacific Lumber would have a drastic effect on the whole county.” Fellow P-L employee and lead Fortuna millwright Don Peterson declared, “I hope it showed our legislators and supervisors that we the workers are concerned and that we are tired of being the silent majority.”⁵²

⁴⁴ Harris, op. cit, pages 222-23.

⁴⁵ “Hundreds Gather at Workers’ Rally”, by John Soukup, *Humboldt Beacon and Fortuna Advance*, June 24, 1988.

⁴⁶ “Timber Supporters Rally Here: Convoy Rumbles to Eureka”, by Stan Zerotarski, *Eureka Times-Standard*, May 18, 1988.

⁴⁷ “New Battles in the Maxxam Campaign”, by Greg King and Berberis Nervose, *Earth First! Journal*, Eostar / March 21, 1989.

⁴⁸ Greg King and Berberis Nervose, Eostar / March 21, 1989, op. cit.

⁴⁹ Zerotarski, May 18, 1988, op. cit.

⁵⁰ Soukup, June 24, 1988, op. cit.

⁵¹ Zerotarski, May 18, 1988, op. cit.

⁵² Soukup, June 24, 1988, op. cit.

“(Earth First!ers) are the ones who’ve been heard. We as working men haven’t had the time to protest. Today we made the time...I don’t think anybody here wants to cut the forest and leave it bare...(Earth First! ‘extremists’) want to make a park out of logging land,” he concluded.⁵³ His admonishment for the local officials to listen didn’t have to travel far to be heard by their ears, because one of Fortuna’s councilmen was P-L supervisor Dennis Wood, who was also present at the rally.⁵⁴

The hearing itself was even more surreal. Harold Pritchard (whose reelection campaign signs graced most of the trucks that had encircled the courthouse) chaired the discussion on the denied THPs. Jerry Partain tried to explain to the angry mob that they were making a mountain out of a molehill over the rejected THPs, and that due to increasing scrutiny by the public, more stringent review of them was inevitable. Darryl Cherney, trying as hard as he could to stomach the presence of the vigilantes, regarded the CDF director’s testimony as bureaucratic doublespeak. The sufficiently propagandized loggers and mill workers, however, regarded this as Partain caving into pressure from “unwashed-out-of-town-jobless-hippies-on-drugs.” Humboldt State University economics professor John Grobey’s testimony which followed made Cherney almost lose his lunch. Grobey predicted that the economic impacts of Partain’s having rejected the two P-L THPs would be the loss of as many as 1852 timber jobs. Then he proceeded to denounce Earth First!, EPIC, and environmentalists as the source of all of Humboldt County’s troubles.⁵⁵ Just as Grobey concluded his verbatim recitation of Corporate Timber’s talking points, Pritchard declared that he had heard all that he had needed to hear. When Greg King spoke up in protest, asking if the supervisors would be talking public comment, Dennis Wood angrily shouted, from the floor, “they’re not going to take any testimony from an *idiot* like you!” Before King could respond, Pritchard gavelled the session closed.⁵⁶

In spite of apparent show of unity, the entire affair was a case of manufactured *dissent*. Again, it wasn’t hard to guess who had organized it. These “pro-worker” demonstrations were almost exact replicas of the employer organized “rallies” against the formation of Redwood National Park in the 1970s.⁵⁷ All of the rhetoric about the “threat to jobs” didn’t square with reality, because the *Eureka Times-Standard* reported, on May 28, 1988, that the local economy was performing better than expected and the timber industry was booming, mainly due to Maxxam’s accelerated cut.⁵⁸ The prohibition of the THPs apparently did nothing to blemish this rosy picture, and, if anything, there were more logs coming out of the nearby forests than ever before.⁵⁹

⁵³ Zerotarski, May 18, 1988, op. cit.

⁵⁴ Soukup, June 24, 1988, op. cit.

⁵⁵ Harris, op. cit, pages 223-24.

⁵⁶ Harris, op. cit, pages 223-24.

⁵⁷ Alm, June 1988, op. cit.

⁵⁸ “Local Economy Basking in Prosperity: Employment Up; Real Estate Looks Healthy,” By Charles Winkler, *Eureka Times-Standard*, May 28, 1988.

⁵⁹ Alm, June 1988, op. cit.

The mob didn't accurately reflect the residents of Humboldt County, either. For example—although it is admittedly small sample size—when polled by the *Eureka Times-Standard*, out of a total of eight respondents, *six* held neutral or negative opinions of the STEA organized events, and two of the latter were *woodworkers*.⁶⁰ Eureka resident Philip Mark Talbrook, who described himself as a family man who recognized that the local economy depended on timber harvesting, declared, “I had mixed feelings when I walked through the truckers’ pro-cut demonstration...of both pride and pain. It felt somewhat like seeing your son out the door on his first date—and realizing that he had the town slut on his arm.”⁶¹

It was likewise highly suspicious that the assembled “workers” accused the environmentalists for having little regard for jobs and workers’ livelihood⁶², because this was simply not the case. The Man Who Walks in the Woods rebutted these charges in a guest editorial in the *Eureka Times-Standard* a few days after the rally:

“It is an age-old industry lie that “elitist environmentalists” are the cause of job loss. In 1947 it took 11.3 people to produce a million board feet of lumber, but, at the Simpson mill at Smith River, opened in 1977, it take a mere 6 people to produce a million board feet. Virtually all job loss in the logging industry has been due to automation and log exports. Where are Maxxam’s crocodile tears for the employees here? Who is the real enemy of the employees? Not the environmentalists who have long and strongly joined with the Woodworkers Union in calling for effective sustained yield policies so arrogantly resisted by the industry.

“It’s also important to note that EPIC’s legal actions have tied up a very tiny percentage of Maxxam’s approved THPs. Already approved plans represent far more volume than PALCO can handle in the near future, thus the threats of crew layoffs are merely politically motivated. Again, we ask who is the real enemy of the employees?”⁶³

The principal Earth First! organizers were, in actual fact, perhaps the environmentalists *most sympathetic* to the potential plight of the timber workers. After the rally, Darryl Cherney opined, “I feel real comfortable about people logging trees. I feel they’re just doing it too fast.”⁶⁴ Greg King, who also attended the event declared, “I think it’s an excellent rally. I just think they should be unified around opposing the corporations

⁶⁰ “Talk of the Town”, by Kathy Nixon, *Eureka Times-Standard*, May 28, 1988.

⁶¹ “Maxxam Intent is Pure Evil”, letter to the editor by Philip Mark Talbrook, *Eureka Times-Standard*, May 29, 1988.

⁶² See for example, “Protesters Don’t Worry About Jobs”, letter to the editor by Mary Lyall Sauers, *Eureka Times-Standard*, May 20, 1988. The letter writer was then president of Lyall Logging.

⁶³ “PALCO Made its Own Trouble”, guest opinion by Robert Sutherland, *Eureka Times-Standard*, May 20, 1988.

⁶⁴ Zerotarski, May 18, 1988, op. cit.

that are putting them out of work. I don't blame them for wanting to protect their jobs, but they should be looking for the real culprit, and it's not the environmentalists."⁶⁵ Shortly after that he wrote the following letter:

"I was pleased and encouraged to witness such a cohesive display of worker solidarity May 17 at the county courthouse. The loggers, mill workers, secretaries, receptionists, truck drivers, mechanics, and their families I met were mostly courteous, forthright, and honest in discussing apprehensions over job security.

"Most pleasing was simply being able to talk with people affected by corporate overcutting and mill mechanization, especially those who have been around long enough to witness the overall decline of corporate management practices in the Humboldt area.

"Some of those with whom I spoke are fourth generation Humboldt County residents whose ancestors, we surmised, likely knew my ancestors who settled in Humboldt County during the early 1860s. The gulf between us was very small indeed.

"It is my hope that woodworkers now will gather the energy that on Tuesday was directed towards Earth First! and fire it solidly toward industrial tyrants whose overcutting and mill mechanization have eliminated more jobs from this area than could any group of environmentalists. *Most of the people I spoke with agreed on this point*, which was not surprising to me once I gathered, after numerous discussions, the overall high level of understanding among woodworkers of this area.

"One man symbolized what turned out to be the predominant concern of the day, just after job security. 'You know,' he said, 'I don't care too much for Earth First!, but I agree with you guys on one thing: We've got to kick Maxxam out of the county.'"⁶⁶

None of the media coverage of the event quoted any of the speakers uttering so much as a peep about automation or overcutting. Indeed, their primary contention seemed to be that *anything* that slowed the pace of timber cutting and threatened the profits of Pacific Lumber was a threat to the economy. Such a position is *precisely* what one would expect the executives and owners of a corporation such as Maxxam to take, and take it they did. There was absolutely no doubt that the entire affair had been carefully framed, if not scripted, from start to finish by the Corporate Timber wizards. Sure, the anger expressed by the rank and file workers was genuine, and their feelings real, but these had been carefully nudged and guided by their slick, P.R. savvy employers

⁶⁵ Soukup, June 24, 1988, op. cit.

⁶⁶ "Cohesive Display of Worker Solidarity", letter to the editor by Greg King, *Humboldt Beacon and Fortuna Advance*, May 27, 1988. Emphasis added.

and their agents who knew exactly how to exploit and manipulate the workers' fears. Pacific Lumber public affairs manager David Galitz waxed poetic about the event, gushingly declaring:

"It was an uprising by the citizens and their families. It wasn't just the workers and the business people, but also their spouses. We knew there were a lot of people out there who recognized the importance and the significance of the lumber industry in Humboldt County...(P-L management) knew the protest was coming but the workers organized it on their own. We think the workers were somewhat hesitant to discuss the protest with us for fear we might tell them to tone it down. It's probably the most rewarding demonstration I have ever witnessed."⁶⁷

John Campbell declared, "It's wonderful that the working man had a chance to express their feelings. I hope they will be listened to."⁶⁸ What neither Galitz nor Campbell revealed is that they had been sounding warning bells about threats to the workers' livelihoods from "unwashed-out-of-town-jobless-hippies-on-drugs" all year.⁶⁹ After Partain denied the Lawrence and Shaw Creek THPs, both executives had issued statements containing *exactly* the same talking points included in Ramona Moore's as well as all of the other letters (Galitz conveniently omitted his executive title, however).⁷⁰

Timber corporations like Pacific Lumber were careful not to let the public trace the organizing directly back to them however. If it were openly declared that the companies had organized the "pro-worker" rallies, it would have been too obvious that these had been blatant attempts to sow divisions between the actual workers and the environmentalists whose long term goals were not actually appreciably different. Instead, Corporate Timber relied upon a huge network of intermediary false front groups to serve that purpose. The most commonly used such groups were the so-called "Wise Use" groups who advocated "mixed use" of public lands, and against the "extremism" of environmentalists who seek to render such lands off limits to all but a few, usually an "elite" few. Although often framed as favoring Gifford Pinchot's view of forestry over John Muir's, in actual fact, such groups more accurately could be described as favoring Richard Ballinger's ideas.

In practice, "mixed" use *actually* meant the maximization of resource extraction by private (corporate) interests, and in general the *actual* aims of the environmentalists favored far more "mixed" and inclusive of "wise" use (by prudent and sound biological as well as utilitarian economic standards at least). The wise use groups appealed much

⁶⁷ Zerotarski, May 18, 1988, op. cit.

⁶⁸ Soukup, June 24, 1988, op. cit.

⁶⁹ Harris, op. cit, page 221.

⁷⁰ Letter to the editor by John Campbell, *Eureka Times-Standard*, April 17, 1988 ("PL Tired of Unfair Charges"); and *Humboldt Beacon and Fortuna Advance*, April 22, 1988 ("Protecting the Public Interest?"); and "Timber Harvests Plans are Appropriate", letter to the editor by David Galitz, *Humboldt Beacon and Fortuna Advance*, April 22, 1988.

more strongly to the “rugged individualist”, culturally conservative, libertarian ethic of small western property owners and were fairly sophisticated at convincing the latter that their interests are the same as those of the big resource extracting corporations. In all cases, such groups insisted that they were independently organized, but careful examination of their financial records overwhelmingly reveals that their primary source of funding is resource extracting corporations.⁷¹

WECARE was one of these “wise use” front groups active on the North Coast. Although the Corporate Timber-friendly *Humboldt Beacon and Fortuna Advance* described the group as being composed of “the men and women...of the brawn it takes to earn an income from Humboldt’s prized timberland,” these were merely the packaging for the organization’s *true* agenda.⁷² WECARE spokesman Sheppard (“Shep”) Tucker, born the same year as Darryl Cherney coincidentally, was also a talking head for L-P. On December 9, 1986, in a guest editorial in the aforementioned publication, Tucker, speaking for WECARE, offered his opinions in response to opposition to increasing timber harvests within the Six Rivers National Forest.⁷³ Tucker’s opinion was carefully crafted to create the impression that timber corporations and the government were careful stewards of the nation’s forests and environmentalists were extremists, whose “interference” with the former’s stewardship spelled certain doom for the long term viability of rural America and its timber dependent communities.⁷⁴

WECARE may have claimed to be “pro-environment” (in addition to its being most definitely pro extraction and plenty of it), but it characterized actual environmentalists as elitist “lug-booted backpackers, who spend a short term in the forest then speed away in their Volvos to never again spend a dime in, or invest a nickel in, the livelihood of Humboldt County.”⁷⁵ They organized their members to oppose changes to forestry policy that strengthened environmental regulations, even going so far as to pay for radio and newspaper ads.⁷⁶ Not content with simply opining and organizing rallies in favor of increased timber extraction, WECARE routinely sponsored contests among school children with themes such as “Forests and how they work for you,” designed to indoctrinate elementary school age children into the fold.⁷⁷ And WECARE was by no means unique. In northeastern California there was also an *ICARE* (The “I” stood for “Intermountain”) which railed against the Audubon Society, Sierra Club, and Wilderness Society. In the Shasta-Trinity Area there was a SARE.⁷⁸ In the northern

⁷¹ Deal, op. cit.

⁷² “‘We Care’ – Or Do We?”, editorial, *Humboldt Beacon and Fortuna Advance*, October 28, 1986.

⁷³ “Timber Cutting: Whose Personal Gain?”, guest editorial by Sheppard Tucker, *Humboldt Beacon and Fortuna Advance*, December 9, 1986.

⁷⁴ “Why We Care”, by Tim McKay, *EcoNews*, May 1987.

⁷⁵ *Humboldt Beacon and Fortuna Advance*, October 28, 1986, op. cit.

⁷⁶ “Backlash Favors Green Plan”, by Tim McKay, *EcoNews*, June 1987.

⁷⁷ “WECARE Winners”, photo and caption, *Humboldt Beacon and Fortuna Advance*, April 29, 1987.

⁷⁸ “Environmentalists Want it All”, letter to the editor, David Kaupanger, *Humboldt Beacon and Fortuna Advance*, May 20, 1988. Kaupanger was the *director* of ICARE. One of his outrageous claims was that environmentalists “wanted it all” because, according to him, they wanted to halt all old growth

reaches of Del Norte and Trinity Counties there was yet another group called KARE (the K stood for “Klamath”)⁷⁹ All of these groups acted alike and published statements with very similar sounding rhetoric.

The CARE groups were, in turn, small satellites of a much larger network. In fact there were at least *thirty* similar groups located throughout the state of California, which were all part of an umbrella organization known as *Alliance for Environment and Resources* (AER), which was founded in 1986 and was a front group for the California Forestry Association (CFA), based in Sacramento, California. The CFA’s mission was specifically to represent the forest products’ industry, to lobby California state officials for less restrictive logging policies, and to sanitize the image of large private timber firms.⁸⁰ There were even groups, such as “Women in Timber” who specifically made heavy use of the imagery of “the family” as a propaganda tool and, like WE CARE (and sometimes in partnership with them), sponsored elementary school presentations advertising the glories and virtues of (corporate) logging.⁸¹

Although not well known in 1988, according to an extensive report, published by Greenpeace in 1993, five years later, there were at least *fifty* major anti-environmental umbrella organizations operating in the United States and Canada, and many of these were regional clusters of hundreds of locally based groups. A great many of them were financed by large timber and mining corporations. For example, in addition to the aforementioned groups, Georgia-Pacific gave financial support to the Center for the Defense of Free Enterprise (CDFE) and the Pacific Legal Foundation. Louisiana-Pacific helped finance the Blue Ribbon Coalition and CDFE. Pacific Lumber supported CDFE, and Kaiser Aluminum provided funds to the Global Climate Coalition (an industry front group whose goal it was to limit and oppose CO2 regulations).⁸²

CDFE in particular boasted of its “pro-industry, anti-environmental literature”, and one of its chief spokesmen, Ron Arnold, a major mover and shaker in the “Wise Use” movement had urged (pro Corporate Timber) loggers to submit stories for a “pro-logging” book but to eschew science and fact because, according to him, “Science and fact count for very little. If you count on science and fact, you will lose.”⁸³ STEA was no different. It began merely as a group of pro-Maxxam employees, but it very quickly morphed into a wise-use group, Taxpayers for the Environment and its Management (TEAM) which bore more than just a passing resemblance to WE CARE, and—not

logging, and 50 percent of all remaining old growth timber in national forests was already “locked up”. Since there was actually very little old growth left, less than five percent of what once existed, this was substantially less than “all”. Yet another betrayal of Kaupanger’s utterly reactionary and ignorant thinking was that anyone who questioned the economic motivations of the collusion between Corporate Timber and the state regulatory agencies was therefore out to destroy the economy, because, in his eyes, economic considerations (above all else) were *automatically* a good thing.

⁷⁹ McKay, June 1987, op. cit.

⁸⁰ Deal, op. cit., pp. 29-30.

⁸¹ “Spring Offensive Launched by Timber Barons”, by Tim McKay, *EcoNews*, April 1986.

⁸² Deal, op. cit., pp. 29-30.

⁸³ McKay, April 1986, op. cit.

surprisingly—the two often worked together. All of the subcontractors who had attended the May 17th rally regularly participated in TEAM.⁸⁴ Considering all of that, to say that P-L had not organized the anti-Earth First! mobs is utter nonsense.

It was not particularly well known at the time that TEAM had the support of very few actual P-L employees, many of whom saw the front group exactly for what it was, an illusion created by the Maxxam wizards behind the wise use curtain. Indeed, many of the half jokingly explained that the letters stood for “Tell the Employees Another Myth.”⁸⁵ Such facts were kept as hidden as possible, and it wasn’t difficult for Maxxam to do so. Campbell, Galitz, and other P-L executives sanction and vetted TEAM, and as a result, that organization was made to look far larger and more important than it actually was. TEAM was about as much of a genuine “employee organization” as the LLLL was a genuine union, which was to say, not much at all. Meanwhile, the workers who disapproved of Maxxam (a few of whom opposed the environmentalists, but many of whom recognized that the latter were not their enemies) lacked a union or any other coherent organized force at the time to give them a sense of solidarity and collective strength.⁸⁶

Those few workers who did speak out were either ignored or threatened with termination. For example, Kelly Bettiga tried to relay his thoughts to a *Wall Street Journal* reporter. He had driven through driving rain to Arcata to tell all and had told the reporter, on no uncertain terms, that the message being given the media by Campbell and his ilk was “all bullshit”. Bettiga pulled no punches in criticizing the Maxxam regime, but the *Wall Street Journal* chose not to run the story.⁸⁷ His fellow worker, Pete Kayes, took a slightly different approach, penning the following letter to the editor, which he sent to various local periodicals:

“When the Pacific Lumber Company was taken over by Maxxam, it was as though we employees had been kidnapped. We were diverted from the comfortable course the old sustained yield logging provided, and that we felt would go on forever.

“As with all hostages, we’ll only be safe when we help the kidnapper achieve his goals, so in a way his goals become our goals. That is one of the reasons P-L employees are afraid to speak out publically about P-L’s current logging practices, even though the company continues to sell logs to other mills and for export and will reduce employment at P-L in the long run.

⁸⁴ “Counter-environmentalist Rally Held by TEAM at Rohner Park”, August 26, 1988.

⁸⁵ Kayes, et. al, *Timberlyin’*, October 1989.

⁸⁶ Darryl Cherney commented in a Q&A session on July 29, 2012 following a showing of his documentary film, *Who Bombed Judi Bari*, that in his own experience, that in 1998, the unionized workers at Kaiser Aluminum, which also got taken over by Maxxam, were much more open about their opposition to and dislike of Hurwitz’s anti-environmental policies.

⁸⁷ Harris, op. cit, pages 244-45.

“We know the real long range problems are being created by our current logging practices, which are being aggressively defended by Maxxam under the guise of an employee group. The current employee pro-logging ‘volunteer group’ [aka TEAM] has become a prime example of the kidnapped adopting the goals of their captor for their own safety.

“When people are uncomfortable because many changes are taking place in their lives, they try to minimize those changes and keep things as they are, ‘safe’...

“As we are finding out, there are no safe places unless we make them that way by taking control of our own lives...”⁸⁸

Kayes no doubt spoke for a huge percentage of his fellow workers who were less brazen than he, and they had good reason to fear. Shortly after this letter appeared in both the *Eureka Times-Standard* and *Humboldt Beacon and Fortuna Advance*, John Campbell informed Kayes that if the latter *really* felt kidnapped the vice president and overseer would be more than happy to set the malcontented blacksmith free.⁸⁹ Evidently Campbell wasn’t so thrilled about *this* particular working man expressing *his* feelings, but he decided not to make that so widely known. Kayes stood his ground and, at least for the moment remained employed, but other workers no doubt kept a low profile because they had no desire to be “set free” from *their* jobs.

Wherever the P-L workers stood on the environmental issue, most environmentalists knew perfectly well that TEAM and WECARE were an elaborate false front for the timber corporations. *Country Activist* coeditor Bob Martel summed it up thusly:

“For Hurwitz and his hired minions in Scotia the ‘game winning strategy’ is confusion, divide-and-conquer, and eventually sellout. If they allow the employees to gather a head of steam and publically express disaffection for Galitz, Campbell, and the fascists in TEAM, the end of Maxxam’s control would be inevitable. Hurwitz cannot unite the employees behind his plan but he can terrorize them into silence. So expect more smoke screens, more media terrorism, a few firings and demotions, and also expect to see panic build in the right-wing groups such as WECARE as the pressure builds.”⁹⁰

It was not the role of these so-called “Wise Use” groups to build bridges between resource extraction workers and environmentalists, however, nor was it to even seek compromise between them. Clearly they sought to drive the wedges further between them, and in this endeavor they were often successful.⁹¹ Part of these false-front organizations’ agenda was not so much to simply attack environmental groups, but also to

⁸⁸ “Employees Kidnapped by Maxxam”, letter to the editor by Pete Kayes, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

⁸⁹ Harris, op. cit, page 234.

⁹⁰ “The Prognosis”, by Bob Martel, *Country Activist*, September 1988.

⁹¹ Deal, op. cit.

keep public officials in line, fully in service of the timber corporations' desired ends. In this case, they succeeded. In response to the supposed "populist uprising" Jerry Partain pledged to make the CDF friendlier to timber interests (as if such a thing were even possible). Partain cited as motivation Ramona Moore's letter, which he described as "an excellent letter that came from the heart." One could scarcely imagine a more elaborate kabuki. Moore's letter had about as much "heart" as Partain was an environmentalist, but naturally John Campbell approved of the CDF director's reversal declaring, "It's about time certain segments of government begin to act responsibly." Campbell's sentiments were echoed by Harold Pritchard.⁹² The wizards behind the Redwood Curtain had done their magic.

* * * * *

Another role of the "wise use" groups included organizing counter demonstrations at environmentalist's rallies, both to wear the latter down and to create the illusion that they were out of touch with the local community and the timber workers. For example, on May 23, over 250 counterdemonstrators, most of them women organized by Concerned Citizens of Humboldt County (CCHC), mobilized to oppose Earth First! at a rally scheduled to take place by the latter at the Yager Creek Log Deck near Carlotta, except that Earth First! wasn't there! (They had, by previous arrangement, and quite unaware of the counterdemonstration, moved their protest to Assemblyman Hauser's office in Eureka instead). CCHC spokeswoman Linda Bartlett was livid that her group missed a chance to shout down their adversaries, claiming that Earth First! was afraid of being opposed publically. Darryl Cherney disputed Bartlett's claim responding, "If I had known that 250 people were going to turn up, I would have never changed the location. No one from (CCHC) called and said that they were doing a demonstration. We'd be happy to walk into a room of a thousand loggers and discuss our differences."⁹³ He indicated that he had even contacted them in advance of the change.⁹⁴

A related sleight of hand trick performed by such groups was to serve as an ostensible right wing pole of opposition in order to make the Corporate Timber representatives and the compliant politicians appear to be more reasonable. Earth First! hadn't moved the demonstration because they were unwilling to listen to these so-called representatives of the workers. Instead, they were seeking to oppose political opportunism by the incumbent Greg King sought to unseat. After meeting informally on the issue for several weeks, California State Assemblyman Dan Hauser and fellow Assemblyman Byron Sher, Chairman of the State Assembly Natural Resources Committee and a Democrat whose home district was based in Palo Alto, met with P-L officials, led by

⁹² *Humboldt Beacon and Fortuna Advance*, June 24, 1988, op. cit.

⁹³ "Yager Creek Rally Supports Timber Industry", by John Soukup, *Humboldt Beacon and Fortuna Advance*, May 27, 1988. Apparently Fisher and her ilk don't completely believe their own rhetoric, because they show absolutely no hesitation about supporting the federal government's enforcement of marijuana prohibition, including the latter's raiding of private property.

⁹⁴ "Pro-Timber Wives, Kids Hold Protest", *Eureka Times-Standard*, May 22, 1988.

John Campbell, and hammered out an “agreement”.⁹⁵ On Thursday, May 26, 1988, with great fanfare Campbell proclaimed that P-L would be returning to a “selective cutting method” for the harvesting of old growth redwoods.

“Over the past 120 years, Pacific Lumber has harvested by both the selective and clearcut methods. In fact, we clearcut exclusively for the first 60 years of our existence to the point where we have now harvested on about 90 percent of the nearly 200,000 acres we own in Humboldt County. Also, by far most of the timber we currently harvest is residual or second growth trees.”⁹⁶

Campbell pledged that P-L would continue to work with Save the Redwoods League “as they had for sixty years,” and with state park officials to aid in efforts to maintain and improve watershed protection and “general aesthetics” on adjacent parklands.⁹⁷ Hauser and Sher seemed satisfied Campbell’s optimism. Hauser declared, “This is good news for everyone. This responsible and voluntary decision by Pacific Lumber will protect our forests and our jobs. I am pleased to see that I was right in thinking that discussion and compromise would take us further than confrontation.”⁹⁸ John Maurer also hailed the agreement, declaring, “the need to return to selective cutting has been one of the cornerstones of our campaign.” On the other hand, State Senator Barry Keene denounced the so-called agreement, declaring it, “nothing more than window dressing and a diversionary tactic.”⁹⁹ The wise use groups denounced the agreement as another example of the environmentalists bullying the timber industry into blackmail.

The so called announcement was anything but earth shattering, however, because a major issue brought by the environmentalists that the agreement left unaddressed was the liquidation of old growth stands. That there was a marked difference between the logging practices of P-L in the most recent two years and its practices over the previous 58 was glossed over by Campbell.¹⁰⁰ Environmentalists weren’t especially convinced that Pacific Lumber’s “pledge” was anything but a paper tiger. EPIC board member Ruthanne Cecil cautiously welcomed the announcement, stating that the decision, “was definitely a step forward, and we congratulate Maxxam on a return to what the old P-L was doing. This means jobs for woodcutters will extend further into the future. We encourage other timber companies to move away from clearcutting.”¹⁰¹ She also warned, however, that a select cut could still represent an overcut.¹⁰² Bill Devall conceded that P-L’s admission that clearcutting was wrong represented the “first, small step,” but

⁹⁵ “P-L to Halt Old-Growth Clear Cuts: Will Return to Selective Harvesting”, *Eureka Times-Standard*, May 26, 1988.

⁹⁶ “PL: No More Clear-Cutting of Old Growth”, *Humboldt Beacon and Fortuna Advance*, May 27, 1988.

⁹⁷ *Eureka Times-Standard*, May 26, 1988, op. cit.

⁹⁸ *Humboldt Beacon and Fortuna Advance*, May 27, 1988, op. cit.

⁹⁹ “PL Action Draws Mixed Reviews: Some Call Old-Growth Decision ‘Terrific;’ Others ‘So Much Fluff’”, by Charles Winkler, *Eureka Times-Standard*, May 27, 1988.

¹⁰⁰ Greg King and Berberis Nervose, *Earth First! Journal*, Litha / June 21, 1988, op. cit.

¹⁰¹ *Humboldt Beacon and Fortuna Advance*, May 27, 1988, op. cit.

¹⁰² Winkler, May 27, 1988, op. cit.

if the company were genuinely serious, they would work with STRL and develop a plan to preserve the Lawrence, Yager, and Salmon Creek watersheds, which they still intended to cut, and refrain from logging in any old growth stands. He elaborated:

“As we continue the healing process, Earth First!, Pacific Lumber, Save the Redwoods League, and timber industry employees can all work together to fight common enemies: greed and ignorance. We can tell Charles Hurwitz we won’t allow a greedy, takeover artist to strip wealth from this county...We can work together to protect and preserve these remaining old-growth redwoods.”¹⁰³

Greg King noted that according to the “agreement” between Maxxam and the state officials, P-L’s “select cut” required preservation of only one tree per acre, which was little better than an actual clearcut.¹⁰⁴ Darryl Cherney was equally dismissive, declaring, “It’s a PR move all the way. Given Maxxam’s very recent takeover of Kaiser Aluminum, incurring *another* \$700 million in debt, I find it hard to believe that Maxxam would have P-L slow down their cut,” and added that the agreement also didn’t preclude P-L from clearcutting its second growth and residual old growth stands.¹⁰⁵

* * * * *

Still one more role of front groups like WECARE and TEAM was the insurance that anyone seeking to unseat incumbent public officials sympathetic to corporate timber faced an uphill battle. For example, Campbell (and many of the letter writers) dismissed the lawsuits by EPIC as merely being a vehicle for Cherney’s run for congress.¹⁰⁶ This was not really the case, however. By June of 1988, Darryl Cherney and Neil Sinclair had decided to end their congressional campaigns and endorse Lionel Gambill. Both agreed that since their challenger was polling the best in head-to-head matchups with the incumbent among the three primary contenders, Gambill represented the best hope in defeating Bosco in the primary.¹⁰⁷ Cherney felt that Gambill, while not ideal, still represented a good enough alternative. He had already questioned Gambill extensively on numerous issues and found the latter’s positions to be close enough to his own that he decided supporting Gambill would be easy.¹⁰⁸ However, since election laws didn’t allow him to remove his name from the ballot, Cherney made the best of the situation, agreeing to continue to participate in all forums and debates as a symbolic candidate (singing, guitar playing, and hell raising included), but in

¹⁰³ “A Need to Preserve Old-Growth Stands”, letter to the editor by Bill Devall, *Humboldt Beacon and Fortuna Advance*, June 10, 1988.

¹⁰⁴ Greg King and Berberis Nervose, *Litha* / June 21, 1988, op. cit.

¹⁰⁵ *Humboldt Beacon and Fortuna Advance*, May 27, 1988, op. cit.

¹⁰⁶ Campbell, *Ibid*.

¹⁰⁷ “Support Thrown to Gambill”, by Darryl Cherney, *Country Activist*, May 1988 and *Mendocino Commentary*, May 12, 1988.

¹⁰⁸ “Vote Lionel Gambill into Congress”, by Darryl Cherney, *New Settler Interview*, issue #31, May 1988.

those instances he would urge that the vote be cast for Gambill instead. The latter enthusiastically accepted Cherney's support, and Sinclair agreed to assist Gambill on strategic matters.¹⁰⁹ Gambill also made it clear that should he be defeated by Bosco in the primary, he would endorse the Peace and Freedom candidate, Eric Fried, a decision which angered the Democratic Party machine, including Barry Keene who rebuked the challenger for such a declaration.¹¹⁰

John Maurer faced similar propaganda assaults in his contest with Harry Pritchard. Maurer ran a spirited campaign with the support of many Pacific Lumber workers and environmental activists. He did not run as an Earth First!er, however. In fact, he tried to position himself as being the "moderate" alternative between Earth First! and Maxxam. Maurer claimed to be on good terms with some of P-L's management, including even John Campbell. He had the support of many of his former fellow workers, including Pete Kayes.¹¹¹ Fortuna resident Tom Brundage praised Maurer for his potential ability to unite what he perceived was an increasingly divided community being polarized between the "two extremes, both of which (were) based outside of Humboldt County, Earth First! and Maxxam."¹¹² Brundage's fellow Fortuna resident Timothy Carter applauded the former P-L shipping clerk for his strong stances on both jobs and the environment.¹¹³ His willingness to meet with the public had a positive effect on many undecided voters, including Donna Mooslin of Carlotta who said, "Harry may have years of experience as a Supervisor, but it seems to me that John has far greater interest and ability in communicating directly with voters, and that is what we need in county government."¹¹⁴

Maurer's attempt to take the "moderate approach" was quickly dismissed by Pritchard's supporters. To not support Corporate Timber uncritically was to be labeled an Earth First!er. It was true that Maurer and his wife *were* good friends with Darryl Cherney, but this was not a well known fact, and even so, the Maurers and Cherney didn't always agree upon every issue.¹¹⁵ Rather, many of Maurer's detractors based their opposition on the candidate's willingness to challenge Corporate Timber's near unfettered rule over the county and its timber base *at all*. In some cases, this was literally the case. For example, Bonnie Armstrong opined:

¹⁰⁹ Cherney, May 12, 1988, op. cit.

¹¹⁰ "Gambill Should Reconsider", letter to the editor by Barry Keene, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

¹¹¹ Kayes, June 3, 1988, op. cit.

¹¹² "Taking a More Moderate Approach", letter to the editor by Tom Brundage, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

¹¹³ "A Tale of Two Candidates", letter to the editor by Timothy Carter, *Humboldt Beacon and Fortuna Advance*, May 10, 1988.

¹¹⁴ "Disappointed in Pritchard Response", letter to the editor by Donna Mooslin, *Humboldt Beacon and Fortuna Advance*, May 27, 1988.

¹¹⁵ Author's personal correspondence with Darryl Cherney, May 9, 2012. Judi Bari was also friends with the Maurers, after meeting them and Cherney.

“From the very outset, it’s been clear that Mr. Maurer is running on a single issue: to get Maxxam and, by extension, Pacific Lumber.

“Now, however, in his single-minded zeal, Mr. Maurer has found himself marching in lockstep with groups like EPIC and Earth First extremists. Unfortunately, he’s also found himself at odds with the majority of the people of the Second District—not a good place for someone who’s trying to get elected.”¹¹⁶

These sentiments were echoed by Joe Michlig of Fortuna who admonished Maurer to “stop trying to destroy the Pacific Lumber Company and the timber industry in general,” and to fight the “real menace”, namely the environmentalists, a *green* menace no doubt.¹¹⁷ Such accusations bordered on hyperbole. Maurer was neither a supporter nor an opponent of Proposition 70 or the Headwaters Forest Wilderness Complex—indeed he had many criticisms of both.¹¹⁸ No doubt the criticisms of Maurer stemmed from his having argued that Maxxam’s then current practices, including especially clearcutting were a much bigger threat to the long term economic future of Humboldt County than any wilderness complex proposal, even one proposed by Earth First!.¹¹⁹

Naturally, the press—beholden to the interests of the status quo—endorsed Pritchard. The *Eureka Times Standard* supported the incumbent citing his being “an outspoken advocate for the county’s timber industry” as the primary reason for their choice. Evidently being an “outspoken advocate” meant that what was good for Maxxam was good for Humboldt County.¹²⁰ John Maurer and his supporters tried ceaselessly to point out that *they* were *better* advocates for the industry because his approach would support long term sustainability¹²¹, but even questioning the right of Maxxam to turn a quick profit was to be labeled an “Earth First! advocate.” The *Humboldt Beacon and Fortuna Advance* applauded Pritchard’s support for “good roads...protecting the property rights—and safety—of (the District’s) residents, and (opposing) the increased threat to personal and private property rights by government bureaucrats.” Nowhere in the editorial did the words “timber”, “Pacific Lumber”, “Maxxam”, “environmentalism”, “EPIC”, or “Earth First!” appear, but it was easy to

¹¹⁶ “Owning Up to Campaign Blunders”, letter to the editor by Bonnie Armstrong, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

¹¹⁷ “Maurer Should Face Real Menace”, letter to the editor by Joe Michlig, *Humboldt Beacon and Fortuna Advance*, May 27, 1988.

¹¹⁸ “Millworker Challenges Incumbent”, by John Maurer, *Country Activist*, March 1988.

¹¹⁹ “John Maurer’s Candidate Statement for Humboldt County Supervisor”, by John Maurer, *Country Activist*, May 1988.

¹²⁰ “Harry Pritchard Deserves 4th Term”, editorial, *Eureka Times-Standard*, June 5, 1988.

¹²¹ “Let’s Talk Jobs”, paid advertisement, John Maurer for Supervisor Committee, various publications, including *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

read between the lines and gather that “property rights” meant the right of Maxxam to log the old growth forests of the County at will.¹²²

Maurer’s most vocal critics were all supporters and members of TEAM, including Phil Nyberg of Fortuna, who accused Maurer’s campaign of trespassing to place their campaign signs (and also remove pro-Pritchard signs) on “unauthorized properties”, misrepresenting a fundraiser as an apolitical western dance, and promoting a fundraising auction as a 4-H and Kiwani’s function.¹²³ Likewise, Maurer’s former fellow worker, Stanley Parker who described his lack of support for Maurer thusly:

“I (know) John and respect him so I try to visualize him in the role of a county supervisor. John was a good shipping clerk and I believe him to be a good cabinetmaker. I could not visualize him as a good supervisor, however. When he came to a crucial vote on some matter having to do with our natural resources, I am afraid he would tend to follow the environmental line. I know he is not an Earth First! person, but I believe he would tend to give them more of a hearing than they deserve.”¹²⁴

To the supporters of Corporate Timber, this meant “any hearing at all,” and initially it seemed that Harry Pritchard and his supporters were unwilling to give their *opponent* one. Pritchard cancelled several events with his contender. Maurer, by contrast, accepted all invitations to make public appearances—which made sense as it was in his interest to make himself known as the challenger, but it also bolstered his argument that the incumbent was not accessible to the people. The League of Women Voters requested in writing that both candidates participate in a public forum, but the event was called off, because the Pritchard did not respond before the deadline, and when he finally he did respond, he refused to participate anyway. Forbusco Lumber in Fortuna canceled an event that was to feature both candidates when Pritchard refused to participate. A debate on local TV station KVIQ between the two candidates was called off, because the incumbent was a no show for the taping.¹²⁵ A reception at the Scotia Inn was cancelled on short notice by its manager, Jerry Carley, with no reasons given, a decision that drew a strong rebuke from Maurer’s neighbor and supporter Toni M.

¹²² “The Right Choice for 2nd District”, editorial, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

¹²³ “Inaccurate Defense of Local Campaign”, letter to the editor by Phil Nyberg, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

¹²⁴ “A Vote for Harry Pritchard”, letter to the editor, *Humboldt Beacon and Fortuna Advance*, May 27, 1988.

¹²⁵ “Cancellation Was Undemocratic”, letter to the editor by Robert Nelson, *Humboldt Beacon and Fortuna Advance*, June 3, 1988.

Scolari¹²⁶, and Maurer's wife, Laurel.¹²⁷ Carley had apparently backed out of the event because he (didn't want) "any kind of confrontation between the workers and John Maurer."¹²⁸ One can only wonder who would have provoked such a confrontation.

In the end, the smear tactics apparently succeeded in beating back John Maurer's populist challenge, though not by much. The challenger officially came within 26 votes of defeating his opponent on June 7, 1988, but it is entirely possible that Maurer actually won outright. In a series of election improprieties eerily foreshadowing those surrounding the controversial "butterfly ballots" used in some Dade County, Florida precincts during the Presidential Election of 2000, several ballots that may have been intended for Maurer were voided or counted as votes for Pritchard instead. Suspecting fraud, the challenger filed a lawsuit in Humboldt County Superior Court on July 14, 1988, claiming that incorrect instructions were mailed along with 611 absentee ballots.¹²⁹ The poorly worded instructions told voters to punch dots above numbers corresponding to candidates' names, when the dots were actually positioned *below* the numbers.¹³⁰ Further, Maurer argued that (a) voters had been incorrectly purged from the county's voter rolls; (b) Some people who were ineligible to vote had been allowed to vote for Pritchard; (c) some invalid absentee votes cast for Pritchard were counted anyway; (d) some Pritchard voters were allowed to vote twice; and (e) some absentee ballots intended to be mailed to people who would have voted for Maurer were misaddressed.¹³¹ Maurer carried on his challenge for several weeks¹³², but ultimately had to give it up, because maintaining it would have required him to pay \$1000 in filing fees each day.¹³³ Whether or not the irregularities were coincidence or deliberate tampering has never been determined, and if tampering did occur, the guilty party(s) have never been identified.

* * * * *

The other races challenging the Corporate Timber friendly officials with few exceptions fared equally poorly. The combined Cherney-Gambill-Sinclair challenge to Doug Bosco ended in defeat when Bosco won the primary. The incumbent would go on to de-

¹²⁶ Letter to the editor by Toni Scolari, various publications, including *Humboldt Beacon and Fortuna Advance*, June 3, 1988 ("A Right to Meet the Candidates"); and *Eureka Times-Standard*, June 5, 1988 ("Candidate Maurer Should Be Heard").

¹²⁷ "Cancellation was Unfair", letter to the editor by Laurel Maurer, *Humboldt Beacon and Fortuna Advance*, May 27, 1988.

¹²⁸ "Mud Slinging in the Second District", letter to the editor by Marty and Dolly Ross, *Humboldt Beacon and Fortuna Advance*, June 3, 1988. For the record, the couple were supporters of John Maurer.

¹²⁹ "Maurer Fights Back", *Country Activist*, June 1988.

¹³⁰ "Maurer Says He'll Sue Over Election", by Mark Rathjen, *Eureka Times-Standard*, July 13, 1988.

¹³¹ "Hearing Set on Maurer Suit", by Mark Rathjen, *Eureka Times-Standard*, July 22, 1988.

¹³² "Lawsuit: Maurer's Hopes Still Alive", by John Maurer, *Country Activist*, August 1988; and "Unusual Rules Govern Maurer Election Suit", by Mark Rathjen, *Eureka Times-Standard*, August 5, 1988.

¹³³ "Maurer Drops Ballot Lawsuit; Cites Court Costs in Giving Up 2nd District Challenge", By Mark Rathjen, *Eureka Times-Standard*, August 18, 1988.

feat his Republican opponent in November. Greg King fared no better, losing soundly to Dan Hauser. There were a few bright spots, however. Environmentalists could take some comfort at least in the passage of Proposition 70 in the June Primary by a vote of 65.2 percent in favor.¹³⁴

Don Nelson, meanwhile, was defeated by his opponent, Liz Henry, who would in turn defeat right wing opponent Jack Azevedo in the general election in November. This was nothing short of a miracle. Azevedo was a popular local radio personality. Polls had projected him beating Henry by as much as 70 percent until just weeks before the election. Henry's victory was due—in no small part—to the investigative reporting by her daughter, Lisa, who—with the help of some friends—uncovered and exposed Azevedo's crypto fascist connections.¹³⁵ Liz Henry was not entirely comfortable with Lisa's actions, fearing (wrongly) that Lisa's efforts might make the candidate seem like an opportunist. Henry's daughter recalls:

"The staff of *Sidewalks*, which was me and a gang of guys, were putting our first issue to bed. Zack Stentz had written and exposé on Jack Azevedo, the man running against my mom for 4th District Supervisor. Our contention was that Azevedo was a neo-Nazi, because he read and preached on the radio from a neo-Nazi tract called Imperium. No one else had brought this up...

"So, it's like twelve o'clock, and we're putting the final touches on the paper—this is at (Beth Bosk's) house—when we get a call from someone on my mom's campaign, her campaign manager, who tells us to pull the article; Zack fielded that call with a bunch of great rational reasons why we would never pull the article.

"Fifteen minutes later, I get a call from my mom telling *me* to pull the article—that *I* should be the one to pull it. Forget editorial collective. She said it would blow the election for her. That people would accuse her of negative campaigning. I told her I was my own person, and that people could separate her from me, and my opinions from hers, but she said she'd be guilty by association. And she hung up on me."¹³⁶

Nevertheless, the IWA and Nelson endorsed Henry, certainly not wishing to align themselves with a neo-Nazi such as Azevedo.¹³⁷ In the end, Lisa Henry's actions probably made the key difference in the campaign; Her mother won by a landslide. It would not be the last time the two clashed, however.

¹³⁴ "Parks Proposal Passes", *EcoNews*, July 1988.

¹³⁵ "Azevedo's List Entries Meet", by Mitch Clogg, *Mendocino Country*, November 1, 1988; "Publisher's Corner", by Harry Blythe, *Mendocino Commentary*, November 17, 1988; and "Lisa Henry on her 22nd Birthday", Interview by Beth Bosk, *New Settler Interview*, January 1991.

¹³⁶ "Lisa Henry on her 22nd Birthday", Interview by Beth Bosk, *New Settler Interview*, January 1991.

¹³⁷ "We Just Don't Like Fanatics; Woodworkers Local Endorses Liz Henry for Supervisor", IWA Press Release, *North Coast News*, November 3, 1988.

As it turned out, Don Nelson's loss was the best possible outcome the Mendocino County environmentalists could have imagine, because the IWA Local 3-469 official would soon prove that he, too, was willing to throw in his lot with the likes of TEAM and WECARE. Almost immediately following the election, Don Nelson would prove dramatically that he was not on the side of the people. In a series of events unrelated to the election, Nelson refused to honor a UFCW endorsed boycott of the Harvest Market in Fort Bragg, a move which alienated his former ally Roanne Withers.¹³⁸ Nelson defended his actions by making the dubious argument that none of the workers in the store had called for the picket¹³⁹, but Withers—who was a service worker herself¹⁴⁰, found this reasoning to be appalling, echoing that of union busting employers. Withers pointed out that Jack Barnes, Secretary-Treasurer of the Sonoma, Mendocino, and Lake County Central Labor Council had severely criticized Nelson for his actions as well.¹⁴¹ She had further condemned Nelson for his selling out of the G-P rank and file and decided she could no longer enable him anymore; she resigned as co-host on KMFB and proceeded to expose his perceived betrayals at every opportunity.¹⁴² Nelson's had cashed in his standing with the Mendocino County progressive community once and for all.¹⁴³

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Corporate Timber's wizardry would work its magic one more time. On June 28, Judge John Buffington lifted the TROs against logging in Lawrence and Shaw Creek, arguing:

“If these trees are necessary to assure the continuance of certain species of wildlife, the Department of Fish and Game and the California Department of Forestry have not been performing their duty over the past 17 years Or, if they have, the issues here are as the board has determined—not supported by reasonable scientific and factual data at this time.”

The first of the two choices was precisely what EPIC had been arguing, but Buffington was unwilling to make that determination, lest he incur the wrath of the corporate wizards. David Galitz hailed the ruling, opining, “I think this is pretty strong language the judge used in the ruling. We've felt all along that groups have been using the

¹³⁸ “Stabbed in the Back”, by Roanne Withers, *Anderson Valley Advertiser*, August 17, 1988.

¹³⁹ “Why Don Did It”, by Don Nelson, *Anderson Valley Advertiser*, August 17, 1988 (reprinted without title in the) *North Coast News*, August 18, 1988.

¹⁴⁰ “An Interview With a Bed and Breakfast Housekeeper”, interview by Bruce Anderson, *Anderson Valley Advertiser*, August 19, 1987.

¹⁴¹ Excerpts from *Labor Notes*, September 26, 1988, reprinted in the *Anderson Valley Advertiser*, October 5, 1988.

¹⁴² “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, August 17, 1988.

¹⁴³ “Don Nelson: the Man Environmentalists Love to Hate”, interview by Jim Shields, *Mendocino Coast Observer*, August 3, 1990.

(habitat) issue to thwart timber harvesting.”¹⁴⁴ That Galitz’s words exactly matched one of the key talking points repeated in many of the letters and uttered by many of the speakers among the so-called “pro-logging” crowd should have been immediately obvious as a smoking gun.

To a large extent, Corporate Timber’s heavy reliance on the front groups was a testament to the success of Earth First!. The scrappy “David” was actually—if haphazardly—slowly beating the enormous “Goliath”. These interests shared a very real fear that the environmentalists were gaining an economic and political foothold in northwestern California. Still, there was a huge void that Earth First! simply couldn’t fill, and that was the need for a *genuine* workers’ organization not beholden to Corporate Timber. Had the P-L workers been able to join or organize such a group, they would have been able to effectively dispel the myth, spread by Corporate Timber, that the threat to the timber workers’ livelihoods was entirely the fault of “unwashed-out-of-town-jobless-hippies-on-drugs.” Fortuitously, Earth First! was about to be joined by an unexpected ally...the one that had given it much of its cultural and tactical flavor in the first place: the IWW. The timing couldn’t have been better.

¹⁴⁴ “Restraining Order Overruled”, *Humboldt Beacon and Fortuna Advance*, July 1, 1988.

10. Fellow Workers, Meet Earth First!

It was inevitable that the two would meet, really. Earth First! was challenging the corporate extraction of resources, but it wasn't combating it at its source: the point of production. The problem was that the business unions theoretically could, but in practice they would not. They were too invested in their role as junior partners in the capitalist economy, which left them incapable of fighting it. There was only one union in the United States that could, and luckily, it still existed, even if it was but a shadow of its former self.

That the IWW influenced Earth First! is obvious. If the opposite was true in the early days of Earth First!'s existence, it is difficult to say. Initially, there was no direct or *textual* reference made by the IWW to Earth First! in its official publication, *The Industrial Worker*, prior to February 1988, although there was a one-time reproduction of one of Mike Roselle's images (frequently used in the *Earth First! Journal's* "dear shit fer brains" letters section), slightly altered and used in the *Industrial Worker's* own letters section in September 1983.

The IWW did take note of general environmental struggles and actions within the pages of the *Industrial Worker*. For example, in the October / November 1980 issue there was a lengthy article titled, "Big Mountain Dine & Hopi Battle Mine Interests", a struggle which Earth First! supported for many years. In the June 1981 issue included a lengthy article about the Bolt Weevils"—which predate Earth First!, but serve as one of its inspirations—called, "The Power Line Protest in West Central Minnesota". Earth First!er Roger Featherstone, was once involved in this campaign. There was a similar, uncredited article about this movement, simply called "Bolt Weevils" in the May 1, 1984 issue of the *Earth First! Journal*. An isolated column (that does *not* mention Earth First!) called "Ecology Notes" appeared in the December 1982 issue. The same column never appeared again, however. By 1983, articles about ecologically oriented workers' struggles became more and more frequent, but Earth First! was never mentioned, even if Earth First! was involved in the struggle. Meanwhile, the Wobblies were rarely mentioned in the *Earth First! Journal* except for a few occasional letters from self-identified IWW members, or former members.¹

¹ For example, see Harry S. Smith's letter to "Dear SFB", *Earth First! Journal*, Samhain / November 1, 1984; Smith mentions that he had been an IWW member in the 1920s, but he refers to the Wobblies in the past tense. SFB is an abbreviation of the ironically humorous moniker, "Shit for Brains".

Behind the scenes, however, individual Wobblies and Earth First!ers frequently came into contact with each other. Dave Foreman later revealed that he had regularly corresponded with Utah Phillips. Franklin and Penelope Rosemont had also been in contact with Foreman as well as Roger Featherstone, a veteran of several environmental campaign, who described himself as “a roving reporter for Earth First!”² In Tacoma, Washington, IWW members Barbara Hansen and Allen Anger lived in an apartment in the same building as the IWW hall along with long time member, and then branch secretary, Otilie Markholt. They were friends with George Draffan, who had been a member of the IWW when he was in college, long before joining Earth First! in the 1980s.³ Colorado IWW member and oilfield worker Gary Cox was also sympathetic to Earth First!. Cox had read *The Monkeywrench Gang*, become a subscriber to the *Earth First! Journal*, and had attended an Earth First! speaking event by Dave Foreman and Roger Featherstone at the University of Colorado.⁴ A handful of IWW members were Earth First!ers themselves, including a musician known as “Wobbly Bob”.⁵

Nevertheless, the first actual mention of Earth First! in the pages of the *Industrial Worker* touched on the Cameron Road tree spiking and the injury to George Alexander. In a letter to the editor in the February 1988 edition, Barbara Hansen, stated:

“Recently Earth First! has been attacked for tree-spiking by both the bourgeois press and other ecology groups. The criticism results from publicity surrounding an accident in a northern California mill in which a saw-blade shattered when it hit a spike and a worker was seriously injured by the flying debris. EF!’s response has been basically to deny that the spike could have been one of theirs, and they make a pretty good case. However, I was raised here in logging country, and it seems to me the questions shouldn’t be ‘Is it OK to spike trees?’ or ‘Who put the spike in?’ but rather, ‘Why wasn’t the worker protected against accidents?’

“All kinds of things get into tree trunks—barbed wire from an old fence can get overgrown and deeply embedded, even nails from a sign or a camper’s clothesline, Cedar trees will even pick up large rocks and carry them in a limb crotch as they grow, eventually burying them deep in a trunk. That’s why saw-blades are supposed to be changed before they get brittle enough to shatter, and why shielding is supposed to be in place to protect the saw-operator when something is hit, whether the object was placed there by nature or saboteur.

“I’ve heard some of my friends and neighbors who run small home sawmills for extra income bitterly complain about how OSHA officials come around

² Author’s personal communication with Penelope Rosemont, October 20, 2009.

³ Author’s personal communication with Allan Anger, October 26, 2009.

⁴ Author’s personal communication with Gary Cox, October 26, 2009.

⁵ Author’s personal communication with Mike Roselle, August 31, 2008.

and harass them about safety requirements and let the big mills get off free. But none of the articles I've seen in the papers have questioned the safety standards at the mill in question. Let's hope our friends in Earth First! haven't fallen into the trap of letting the press define its politics as putting ecology ahead of workers, when the real issue here is worker safety, not the ethics or tactics of direct action."⁶

As one would expect, more than a few IWW members were less than sympathetic to Earth First!, especially given some of the more controversial declarations issued by the latter's spokespeople, including Dave Foreman and Ed Abbey. Though such views were likely not held by the majority of Earth First!ers, skeptical Wobblies worried that an IWW association with Earth First! could result in negative associations with the IWW as well. For the most part, the Wobblies in this camp had little or no connection with rank and file Earth First!ers such as Greg King and Darryl Cherney. Had this been otherwise, the skeptical members of the IWW might have been less so. To the supporters of Earth First! within the IWW, however, Earth First!'s direct action tactics reminded them of the IWW campaigns long past, including the fight for the eight-hour day in the timber industry.⁷ While the IWW still *spoke* of direct action, particularly among the forests of the Pacific Northwest, Earth First!ers were out in the woods, *taking* direct action, albeit not at the point of production, which the supporters sometimes neglected to mention. The debate was by no means a lighthearted one, and personal egos and other peripheral disagreements about strategy and tactics sometimes muddled the waters further, as is all too common on the left.

Earth First!'s supporters in the IWW were meanwhile in regular contact with their supporters (and common members) in Earth First! and devised a strategy to try and win over the more skeptical members of the One Big Union. Fortuitously, at the time the editors of the *Industrial Worker*, (including Franklin and Penelope Rosemont) were, conveniently enough, all supporters of Earth First!. Their predecessors, whose tenure had ended in December 1987, hadn't been, but a good majority of the membership considered the 1987 version of the publication uninspiring, even if the editors had done a consistent and reliable job of producing it. One group of readers had even described the *Industrial Worker* under their watch as "a condensed version of the *New York Times*."⁸ The new editors, by contrast, transformed the publication into one with much more interesting articles (by many accounts) and issue oriented themes, including some of which were not always free of controversy.

In the May 1988 issue of the *Industrial Worker*, however, the editors chose to unapologetically feature Earth First! under the banner of "RADICAL ENVIRONMENTALISM". To be fair, there were a couple of articles about environmentalism in general,

⁶ Letter to the editor, by Barb Hansen, *Industrial Worker*, February, 1988.

⁷ Author's personal communication with Barbara Hansen, Summer 2009.

⁸ Letter to the editor, by Melissa Roberts, et. al., *Industrial Worker*, September, 1988.

including one by Gary Cox on workers taking direct action to preserve rainforests.⁹ The vast majority of the articles however, in fact, no less than six, in the issue focused *specifically* on Earth First!, and four of these were penned by Franklin Rosemont, though only one of them used his actual name (the other three were written using two different pseudonyms, including his IWW membership number (x322339) and a third pseudonym, Lobo X-99).¹⁰ Rosemont also submitted an interview he conducted with Earth First! “roving reporter” Roger Featherstone.¹¹ Barbara Hansen contributed an article on the controversial issue of Spotted Owls as an indicator species and how Corporate Timber used that as a wedge between timber workers and environmental activists¹², and Randall Restless of Montana Earth First! appealed to IWW members to take up wilderness issues as much as they did better working conditions.¹³ Hansen’s article was the most relevant in discussing the common ground that IWW members (and workers in general) might find with Earth First!, but none of the articles were critical of Earth First! beyond a minor point or two.¹⁴

It was obvious to all but the most naïve reader that the editors were trying to provide a platform for Earth First! in particular. Further emphasizing the point—the normal press run of the *Industrial Worker*, was increased from its normal 3,000 per issue to 10,000 and copies were deliberately distributed to Earth First! chapters and at Earth First! gatherings during the upcoming summer.¹⁵

The articles themselves were a decent introduction of Earth First! and the IWW to each other in general. Rosemont expertly described the IWW in his first article, which was likely directed at Earth First!ers not familiar with the Wobblies. In it, he made distinctions between the revolutionary and uncompromising principles and practices of the IWW as opposed to the collaborationist and expedient measures taken by the AFL-CIO, which—as even Earth First!ers agreed—had become little more than an arm of big business.¹⁶ Rosemont made particular note of the AFL-CIO’s uncritical acceptance of corporate rhetoric that “environmental regulations led to the loss of jobs”:

“First, in our view, the ‘official’ so-called labor movement, the AFL-CIO, is not really a labor movement at all, but rather a corrupt statist, CIA-dominated bureaucracy whose specific function is to control labor... all of

⁹ “Workers Direct Action Saves Rainforest: Labor Environmentalism in the Philippines”, by Gary Cox, *Industrial Worker*, May 1988.

¹⁰ These were “Earth First!ers, Meet the IWW”, by x322339; “Fellow Workers, Meet Earth First!: an Open Letter to Wobblies Everywhere”, by x322339; “Workers and Wilderness”, by Franklin Rosemont; and “Subvert the Dominant Paradigm!”, by Lobo X-99, *Industrial Worker*, May 1988.

¹¹ “Earth First! & the IWW: an Interview with Roger Featherstone”, by Franklin Rosemont, *Industrial Worker*, May 1988.

¹² “Spotted Owls and Jobless Workers”, by Barbara Hansen, *Industrial Worker*, May 1988.

¹³ “Common Ground”, by Randall Restless, *Industrial Worker*, May 1988.

¹⁴ “Earth First! The Underbelly Exposed”, by Chris Shillock, *Libertarian Labor Review*, issue #6, Winter 1989.

¹⁵ “Earth First! vs. the Rumor Mongers”, by Lobo X-99, *Industrial Worker*, September 1988.

¹⁶ “We Are Not Alone in This” by Dale Turner, *Earth First! Journal*, Special Edition, June 16, 1989.

them are afflicted with outdated hierarchical structures and above all an idiotic ideology submissive to the capitalist system of wage slavery...Consider, for example, a ridiculous bumper-sticker slogan promoted by several AFL-CIO unions: 'Pollution: Love it or leave it.' This hideous inanity was supposed to save steel mills and oil-refineries in industrial hell holes like Gary, Indiana...Instead of the imbecile slogan, 'Pollution: Love it or leave it,' the IWW inscribes on its banner the ecological watchword, 'Let's make this planet a good place to live.' And we argue that the best way to accomplish this goal is to organize One Big Union of all workers to abolish the wage-system. The bosses are able to cause such vast environmental devastation because they have organized industry their way for their profit."¹⁷

Rosemont also suggested that the IWW had been far ahead of its time, calling for some of the very measures called for by Earth First!:

"Historians of the conservation and environmental movements have not examined the contributions of the IWW, but there's a remarkable story there that should be told some day, at length...In its early years the Union urged that the organized working class would exercise an enlightened stewardship of the planet...the IWW sometimes looked far beyond the limited horizons of the conservation movement at the time...From the 1910s on, the IWW press published numerous warnings of the great dangers to America's forests posed by these malevolent mercenaries...

"On overpopulation, (as) early as the 1910s Wobblies argued that a smaller workforce could more easily win higher wages and shorter hours, as well as better living and working conditions and working conditions, and therefore the Union became a vigorous advocate of birth-control. Of course they could have further justified their position with feminist and environmentalist arguments. What is important, however, is that they reached conclusions compatible with feminism and environmentalism not by adopting someone else's arguments, but on their own, out of their own experiences as workers in revolt...

"Wobbly bard Ralph Chaplin left us some powerful poems reflecting a profound awareness of Earth's natural diversity. And then there were guys like Irish-born Fellow Worker John Dennis who, after working for a time on the Great Lakes headed west, fell in love with the wilderness...Toward the end of his life he served as field consultant for St. John's Flora of Eastern Washington and Harrison's Flora of Idaho. 'What they needed,' he explained, 'was someone to show them where they could find various plants, and I knew the elevations and places where they grew.'"¹⁸

¹⁷ "Earth First!ers, Meet the IWW", by x322339, *Industrial Worker*, May 1988.

¹⁸ "Earth First!ers, Meet the IWW", by x322339, *Industrial Worker*, May 1988.

Rosemont's second article, essentially a glowing tribute to Earth First! passionately presented Earth First!'s good side and poetically compared the young but already famous radical environmental movement as one of the IWW's descendents (exactly as its founders had intended):

"Every once in a while a new radical movement arises and illustrates the social firmament so suddenly and so dazzlingly that many people are caught off guard and wonder: 'What's going on here? Who are these new radicals, and what do they want?'...

"This new movement proceeds to develop new direct-action strategies and tactics—or gives a new twist to old ones—and starts delivering real blows to the power and prestige of the ruling exploiters and their governmental stooges. This in turn inevitably arouses the hostility of the guardians of the status quo—cops, courts, preachers, politicians, and the prostituted press—who raise a hue and cry for the punishment and suppression of the trouble making upstarts...

"And so the new movement, with wild songs and high humor, captures the imagination of masses of young rebels, spreads like wildfire, turns up everywhere, gets blamed for everything interesting that happens, and all the while writes page after page in the annals of freedom and justice for all."¹⁹

As Rosemont surmised, such a description actually applied to the IWW as well as Earth First!, and he eloquently described how historically significant new movements always drew inspiration from their history-making forebears:

Truly remarkable is the extent to which each new radical current seems to subsume into itself the spirit, the theory and practice of its various fore-runners, even while elaborating its own specific contributions that it will, in turn, pass on to others. What is new in each new movement, moreover, always enables us to see the older movements in a new way, and this in turn sharpens our perspectives and helps advance the struggle yet again...

(Earth First! unites) "the wilderness radicalism of the great 'Yosemite Prophet' John Muir and the flamboyant direct-action tactics of the IWW. Earth First! has transformed the most vital current of the old conservation movement into something qualitatively new and incomparably more radical, and at the same time has helped to bring out a new and wilder dimension to the old Wobbly dream of 'making this a planet a good place to live.'

¹⁹ "Fellow Workers, Meet Earth First!: an Open Letter to Wobblies Everywhere", by x322339, *Industrial Worker*, May 1988.

“We have every reason to expect that environmental demands will play a larger and larger role in workers’ struggles in the near future.”²⁰

Rosemont made no references however, to the quite *un*-revolutionary comments made by Dave Foreman, Ed Abbey, and “Miss Ann Thropy.”²¹ He said nothing whatsoever about the tree spiking that injured George Alexander which, although not done by Earth First! was still an action likely inspired by Ecodefense. Indeed, Rosemont’s review of *that* publication uncritically compared it to the IWW’s own pamphlets on sabotage²², and he neglected to draw distinctions between monkeywrenching (which generally involved guerillas covertly damaging equipment utilized in destruction of wilderness—and sometimes merely used in resource extraction) and *ca’canny* (the collective and organized withdrawal of efficiency by workers at the point of production).²³ Rosemont also neglected to point out that the IWW had officially distanced itself from “sabotage” and had officially ceased selling or distributing any literature promoting it as early as 1918.²⁴

Perhaps Rosemont’s most debatable conclusions and oddball perspectives were presented in the one article he wrote under his own name, “Workers and Wilderness”. In this piece, Rosemont (quite rightly) illustrated the tendency by the ruling class throughout history (whether under despotism, feudalism, or capitalism) to domesticate the lower classes, properly identifying that as a means by the rulers to systematically enslave the thought process of the masses into acceptance of the current status quo, and that successful resistance to such enslavement required that the masses reject domesticity:

“Working-class history is the history of riots, tumults, strikes, street-fights, insurrections and revolutions that consciously or unconsciously presage a sweeping worldwide social transformation that would eliminate exploitation, establish new social relations based on mutual aid and production for use instead of profit, and therefore make life livable for all...

“All the great moments in the still-unfolding saga of the struggle for working-class emancipation—from the glorious machine-smashing Luddites in the early days of the ‘Industrial Revolution,’ through the Paris Commune of

²⁰ Ibid.

²¹ Shillock, Winter 1989, op. cit.

²² “Subvert the Dominant Paradigm!”, by Lobo X-99, *Industrial Worker*, May 1988.

²³ See for example, Smith, Walker C., *Sabotage: Its History, Philosophy & Function*, Chicago, IL, IWW Publishing Bureau, 1913; and Gurley-Flynn, Elizabeth, *Sabotage: the Conscious Withdrawal of the Workers’ Industrial Efficiency*, Chicago, IL, IWW Publishing Bureau, 1916; both are reprinted on iww.org.

²⁴ “Resolution Regarding Sabotage”, Adopted by the General Executive Board of the Industrial Workers of the World, *Defense News Bulletin*, May 4, 1918; the chair of the IWW’s GEB at the time was none other than George Speed, who had earlier been involved in many struggles by workers to fight back against the class war initiated by the timber barons in Humboldt County.

1871, the rise of the Haymarket Anarchists in [the] 1880s [in] Chicago, the countless battles of the IWW, the Mexican Revolution of 1910, the Russian Revolution of 1917, the sit-down-strike wave all over the US in the 1930s, the Spanish Revolution of 1936, the 1956 Hungarian Revolution against the state-capitalist bureaucracy, the Detroit Insurrection of 1967 and the May '68 General Strike in France, up to the titanic class wars of our own time, from Gdansk to Johannesburg, from West Virginia to Grenada, from Lordstown to Managua—reflect this fundamental global aspiration for a cooperative, free society, without competition, profiteering, war discrimination, bureaucracy, pollution and all the other vile byproducts of declining capitalism's industrial depravity.

“These outbreaks of revolt are not the work of timid or docile. And it is not without significance that the most characteristic expressions of rank-and-file workers' insurgency in the US in recent years have been the unofficial and illegal strikes known as wildcats...domestication consists primarily of ideological veneer, that it is not all 'instinctive,' and that revolutionary activity is an excellent cure. Truly it has been said that workers learn more in a week of revolution than in a decade of ordinary life.”²⁵

However, Rosemont then made a dubious leap of logic equating domestication (by the employing class) to civilization *itself*. Whether intended or not Rosemont thus parroted the Malthusian and misanthropic views championed by Dave Foreman, Ed Abbey, and Chris Manes. While it is certainly arguable that flourishing wilderness is favorable to complete domination over the natural environment by manmade technology and technological society in general, and that harmony with the natural environment even in an urban setting (with all of its technological functions) is essential, few among even the most committed Earth First!ers actually literally advocated “going back to the stone age.” The article didn't once consider the possibility that the destruction to the natural environment is not so much the result of “civilinsanity” (as Rosemont called it) as it is *capitalist exploitation*, and most IWW members argue that a world devoid of wage slavery would be much closer to a utopian vision of a sustainable society than a stone age, hunter-gatherer existence (which, with a world population of billions, would be utterly destroyed in a manner of months).

Rosemont's interview of Roger Featherstone *did* address some of the issues he neglected to bring up in his own article. Featherstone emphasized that Earth First! had been inspired by the early history of the IWW:

“We admire the IWW spirit, sense of humor, art and music; its direct action tactics; its unwillingness to buy into the political scene; its no-compromise attitude and, most-importantly, its guts. I think the spirit of the EF! movement today would make Bill Haywood and Joe Hill smile and say ‘right on!’

²⁵ “Workers and Wilderness”, by Franklin Rosemont, *Industrial Worker*, May 1988.

some of the tactics we use are borrowed directly from the IWW: our ‘silent agitators,’ our songbook, and even monkeywrenching itself came from the IWW.’²⁶

Featherstone properly argued that the wilderness preservation would be a boon to workers, as restoration jobs were far more labor intensive than strip-mining and clear-cutting. Featherstone envisioned Earth First! as something of a union for the species affected by corporate destruction to their habitats, and agreed that the IWW and Earth First! needed to educate each other and work jointly on common interests. Unfortunately, however, Featherstone also betrayed the same lack of class consciousness displayed by Dave Foreman:

“The guy cutting old-growth redwood for the Maxxam corporation is just as guilty of rape as is the corporate raider who engineered Maxxam’s takeover of Pacific Lumber. Well maybe not to the same degree, but still guilty...workers aren’t hurt by tree-spiking, but by mill-owners who don’t maintain their equipment to protect the safety of those working for them.”²⁷

While this might have described true believers in TEAM, it nowhere near resembled the attitudes of Kelly Bettiga, Pete Kayes, John Maurer, or Les Reynolds. Featherstone’s thoughts were not even shared by the Earth First!ers actually working directly to fight Maxxam’s takeover of Pacific Lumber.

Randall Restless’ article, no doubt solicited by the *Industrial Worker’s* editorial collective at least limited its critique of “civilization” to technology, but this argument makes no distinction between technologies that are inherently destructive, technologies that are neutral (and whose effects depend upon the user’s intent), and technologies that are beneficial (for example, those that are used to heal some of the damage done by destructive use of technology). Restless argued (rightfully) that humankind itself was not in immediate danger of extinction (in 1988, at least), but that without biodiversity and a healthy environment, human-centered arguments would be meaningless. Some of Restless’ arguments were quite well thought out, such as his contention that many of the jobs supposedly threatened by Earth First! only existed due to massive federal subsidies, paid for by taxpayers often without their consent (or even their knowledge), and that,

Far too often, “jobs” is used as a catch-all slogan by industrial corporations wishing to shirk environmental regulations, by politicians lobbying for pork-barrel projects, and by Forest Service bigwigs hoping to maximize federal timber allocations. Workers rarely benefit and the profits derived from such exploitation serve only to make the rich richer.²⁸

²⁶ “Earth First! & the IWW: an Interview with Roger Featherstone”, by Franklin Rosemont, *Industrial Worker*, May 1988.

²⁷ Ibid.

²⁸ “Common Ground”, by Randall Restless, *Industrial Worker*, May 1988.

However, rather than calling for the radical reorganization of the political and economic system that created these unfortunate situations, Restless instead questioned the appropriateness of the jobs themselves, declaring:

“EF! and other environmental groups are often accused of threatening the livelihood of workers by demanding too harsh and strict controls on industrial polluters and by advocating limits on access to minerals and timber. However, in this age of disappearing wilderness and proliferating pollution, we must analyze jobs in terms of their ecological appropriateness. Is the trashing of another piece of irreplaceable wilderness worth the creation of a few jobs? How many people benefit from the existence of pristine wilderness as opposed to those who benefit from jobs in a mine, or on a timber sale? For how long? We must also ask how many other species will benefit or suffer. Are the jobs in a pulp plant worth the fouling of the air breathed by thousands or millions? Do workers really benefit from such jobs, or does their labor serve only to further empower the bosses, while enmeshing the workers themselves deeper in the morass of industrial society?”²⁹

These were legitimate points in a limited ecological context, but Restless never once questioned whether or not the jobs *themselves* under a radically reorganized political and economic system, founded certainly on the ethics championed by Earth First! as well as the IWW, might in fact be sustainable. For example, in theory at least, the workers could gain control of a pulp mill and redesign it so that its effluents were minimized or eliminated altogether using different technologies.

Following Malthusian dogma, however, Restless suggested that the threats to other species were the result of the human species being “over successful”, never elaborating on what that comment meant and certainly not arguing against employing class exploitation being the primary cause. While it is likely that Restless was not in favor of famine and pestilence to control the human population (and to be certain, even Dave Foreman wasn’t necessarily advocating this), without clarifying statements, one could be lead to believe otherwise. And Restless’ advice to workers seeking to preserve the endangered wilderness, while well meaning, were limited to starting recycling programs in the workplace, monkeywrenching (but no mention was made of incorporating such tactics into the strategy of building workers power through class struggle unionism), whistle blowing, and/or quitting one’s job. Certainly most of these suggestions were useful to a limited degree, but by themselves, they alone would not bring about the societal changes needed to provide an alternative to the rule of capital.

By contrast, IWW member Barbara Hansen, who actually lived in timber country in rural Oregon provided some of the most useful discussion on the potential links that could be forged between Earth First! and the IWW:

²⁹ Ibid.

“Media here in the Northwest likes to portray ‘workers’ as people whose interests are totally at odds with ‘ecologists.’ Out-of-work mill-rats are encouraged to blame their troubles on the city-bred backpacker’s desire to roll out an alpine sleeping bag in pristine wilderness on weekends. Convoys of log trucks circle the state capital, protesting wilderness preservation measures...Workers are being ‘sacrificed’ to conservation.

“Such a portrayal of the ‘worker’ should be profoundly insulting to the people whose livelihoods depend on forest products...It’s not hard to see that even given full license to clear-cut every last old-growth forest, there are only a few years left of jobs to be had out of the Northwest woods. Most loggers and forest-product workers aren’t going to retire from those occupations, and the family businesses are not going to be passed on, no matter what conservation measures are taken.

“Still the media continues to pump out the line of Jobs vs. Ecology...in the interest of fooling the working majority into allowing the U.S. Forest Service to hand over the last of our public woodlands to the corporate few for final exploitation...

“What the timber industry spokesmen are not saying is that most of the logs hauled out of Northwest forest are not headed for Northwest mills, but are shipped directly from our ports to Asia, where they will be processed. Northwest mills continue to cut back and close down, not because the ecologists won’t let them have raw materials, but because it is the corporate choice to export rather than invest in the new equipment and skill necessary to produce finished lumber to the metric specifications and special requirements the Asian markets demand. No, we are only told that if we don’t destroy the last of our irreplaceable natural habitat—the great trees that are the vital heart of our region—one thousand people will go on the dole. We are not told that only a little capital outlay by the industry could produce many more than the 1,000 jobs lost to ‘ecology.’...

“Meanwhile, too, our landfills continue to be engorged with methane producing wastepaper garbage that has forced complete evacuation of more than one nearby community, and more and more living trees are turned into pulp to print the very newspapers that tell us that forest depletion is inevitable and necessary to the economy.”³⁰

Whether favorable or not, the May 1988 issue of the *Industrial Worker* made an impact and generated a lot of responses by its readership from IWW members (and some Earth First!ers as well). Most of the letters were positive, and indicated that the

³⁰ “Spotted Owls and Jobless Workers”, by Barbara Hansen, *Industrial Worker*, May 1988.

issue was well received and generated positive interest in the IWW.³¹ Other comments were more critical, such as those of Arthur J. Miller, who pointed out:

Earth First! is just one organization among many that are radical environmentalist. Many of us in the IWW and the larger labor movement have advocated and organized around environmentalism on the job. Though most would call this organizing around “health and safety issues,” it is important to point out that the workers are always the front line when it comes to exposure to the hazards produced in today’s world. The movement is much larger than Earth First! and includes a lot of working class environmentalists within the labor movement. For instance, the United Farm Workers’ fight against pesticides not only fought for the workers and their families, but also for the health of the entire community...

“The difference between the IWW and Earth First! is that we want to bring about a social revolution where the workers seize their tools and instill social responsibility into production. We have an answer to the problem; we don’t just fight the problem. Earth First! can monkeywrench forever and not come any closer to defeating the enemy. The enemy is mass capitalist industrialization which has no regard for the Earth or for human rights. The IWW is out to organize the only group that has the power to win: the workers. I see no other way of doing it.”³²

One writer, Vera L. Ostrowski’s, did finally mention the controversial statements made by Foreman, Abbey, and Manes, stating:

“I’m surprised to see the IWW so friendly to the Earth First! bunch. Judging from what I’ve read about it elsewhere, EF! sounds like a pretty obnoxious organization. Last year one of the Chicago papers said that EF! openly advocates terrorism, and that its violent tactics have severely injured many workers in the lumber industry. According to other sources, EF! is a white supremacist group, and its leaders officially support the AIDS virus as a way of reducing overpopulation. This is pretty weird stuff! But the material you printed was very appealing, so I’m confused. Have you guys heard any of these rumors? Are any of the charges true?”³³

³¹ For example, see the letters by (1) Louis Bowman; (2) Albert the Alligator; (3) Denise Mayotte and Sal Salerno; (4) Robert F. Mueller (an Earth First!er living in Virginia who had written several articles for the *Earth First Journal* exposing the anti environment and anti-labor practices of Coors); (5) E.G. Nasser; and (6) Melissa Roberts, Rick Beck, Allan Anger, and Barb Hansen, *Industrial Worker*, September 1988.

³² Letter to the editor, by Arthur J. Miller, *Industrial Worker*, September 1988.

³³ Letter to the editor, by Vera L. Ostrowski, *Industrial Worker*, September 1988.

The editors assured everyone that the charges were false, and, to emphasize that point, Franklin Rosemont wrote a very lengthy defense of Earth First! asserting that none of the latter's negative reputation was deserved. In Rosemont's statement (again, written under the pseudonym "Lobo X-99") began with a little name dropping, pointing out that Earth First! already had many supporters within the IWW, including Utah Phillips, who had called the radical environmental organization "the IWW of the environmental movement," as if that would somehow address the criticisms against it. Rosemont repeated the assertion that Earth First! was a movement, not an organization, having no members or constitution. He then went on to claim that the May issue had generated much interest, that many had contacted the IWW from both Earth First! and the IWW expressing interest in joint campaigns, and that a wave of new IWW memberships and subscriptions to the *Industrial Worker* had been created by it.³⁴ There was no demonstrative way to prove the veracity of this statement, but the likelihood was that it was mostly true, but one could just as easily question whether or not a sudden spike in membership or newspaper subscriptions was an adequate metric for determining the strength of the potential Earth First! – IWW alliance.

Rosemont conceded that Earth First! had its shortcomings, particularly the aforementioned lack of structure:

Earth First!'s open-ended, non-hierarchical, anarchistic, disorganizational form of non-organization undoubtedly has its strengths, but it also has its weaknesses. Structured political organizations usually have a hierarchical leadership, a carefully spelled-out platform, a rigorously controlled official organ aimed at the public to promote this platform, and some sort of internal bulletin in which card-carrying, dues-paying members can air new proposals and disagreements. Earth First!, however, makes no distinction between the internal and public lives.³⁵

The rigid type of organization that Rosemont seemed to be alluding to, however, was more akin to sectarian left parties than the IWW, but that distinction was not made in his statement. Rosemont also warned readers about taking statements made in the *Earth First! Journal* as official policy, stating:

There is no better way to learn about Earth First! than to read the *Earth First! Journal*...but don't make the mistake of thinking that everything you read in it is "official EF! policy"! As is clearly and prominently stated in 10-point type in each and every issue, the *Earth First! Journal* is not and has never pretended to be any more than "an independently owned newspaper within the broad Earth First! movement."³⁶

³⁴ "Earth First! vs. the Rumor Mongers", by Lobo X-99, *Industrial Worker*, September 1988.

³⁵ Lobo X-99, September 1988, op. cit.

³⁶ Lobo X-99, September 1988, op. cit. Emphasis in the original.

Next, Rosemont disputed the charges that (1) Earth First! was anti-worker (a claim that was indeed false, Dave Foreman's and Roger Featherstone's poorly chosen words notwithstanding); (2) that Earth First!'s advocacy of monkeywrenching injures workers (a claim that is technically false, but, as was the case in the incident involving George Alexander, was a matter of degrees); (3) Earth First! was a white supremacist organization (certainly false); (4) That Earth First! was nativist (again false, since Ed Abbey's and Dave Foeman's views on immigration were not shared by most Earth First!ers); (5) That Earth First! considered AIDS a good thing (Miss Ann Thropy's tactless attempted dark humor was not meant to be taken seriously); and (6) that Earth First! was Malthusian.³⁷ Unlike the rest, this last claim was difficult to dispute, especially given the fact that the *Earth First! Journal* sold a bumper sticker (in addition to numerous other items) that proclaimed "Malthus Was Right!"³⁸ To his credit, Rosemont admitted that "none of this was meant to suggest that the Earth First! movement is free of very real problems," and he made it a point to call Ed Abbey on the carpet for his comments on immigration and the urban poor that could easily have been interpreted as racist.³⁹

Rosemont's defense of Earth First! elicited several responses, including a very lengthy diatribe by Chris Shillock in the pages of the *Libertarian Labor Review*, an anarcho-syndicalist publication edited by a small collective, including IWW members Sam Dolgoff and Jon Bekken (who were both highly critical of Earth First!). Shillock declared:⁴⁰

"Anarchists particularly felt a kinship. Earth First!'s uncompromising defense of the environment and their rejection of government stewardship of the wilderness echoed our own experience of the futility of working within the system. Their use of direct action was taken from our own history. Their full-blooded all-out enthusiasm for nature promised a robust, holistic radicalism...

"...(unfortunately) not only is Earth First! hostile to any meaningful social analysis, but it is freighted with so much nationalist and racist baggage as to make them obnoxious to any worker.

"Earth First!'s philosophy, also known as Deep Ecology, is set out in a book of that name by Bill Devall and George Sessions...It borrows from Zen Buddhism, Native American religions and from Heidegger, but is based on an immediate intuition of the 'wilderness experience.'...

³⁷ Lobo X-99, September 1988, op. cit.

³⁸ "The Controversy that Wouldn't Die: Workers' First!", letter to the editor by Louis Prisco, *Industrial Worker*, January 1989 and *Libertarian Labor Review*, Winter 1989. This publication was renamed *Anarcho-Syndicalist Review* in 2000.

³⁹ Lobo X-99, September 1988, op. cit.

⁴⁰ Shillock, Winter 1989, op. cit.

“Deep Ecologists condemn other social and scientific views as ‘anthropocentric’ in contrast to their ‘biocentric’ outlook. This epithet is hurled throughout the pages of their journal, *Earth First!*, to clinch a point or to dismiss opponents...

“Instead their concept of ‘biocentric egalitarianism’ turns the corner into a Malthusian blind alley shadowed with dark visions of a vengeful Earth lashing back at the species that uses her. Malthusianism has always been a pseudoscience serving the need of right wing ideology. In the Nineteenth Century, Social Darwinists used Malthus’ simplistic predictions of a dwindling food supply to justify doing nothing to alleviate the misery of the poor. Variations of this philosophy have been used in the Twentieth Century to buttress everything from eugenics to Third World starvation.”

Shillock went on to critique a second defense of *Earth First!* written by deep ecologist Kirk Patrick Sale⁴¹, suggesting that the latter’s overflowing hatred and scorn for mining, ranching, and logging corporations which exploit the wilderness “is closer to right wing populism than working class analysis.”, and reminded readers that Dave Foreman railed against “an ossified leftist worldview that blames everything on corporations.” Shillock also critiqued Rosemont’s defense of *Earth First!*, in particular also focusing on the latter’s structurelessness.⁴² Shillock concluded by stating:

“There is no problem with fellow workers joining *Earth First!* to achieve certain common and short-term ends. It is also possible that Dave Foreman and his Tucson group represent a minority view within *Earth First!*. However, they are the central group, and the one whose views were presented in the *Industrial Worker*. We have no business using our central publication to spread their propaganda.”⁴³

On the other side of the coin, Ed Abbey took issue with the Rosemont’s critique of his statements on immigration, arguing profusely that his stances were not intended to be nationalistic or racist.⁴⁴ But Abbey’s rebuttal was not enough to convince other IWW members, particularly the membership of the San Francisco General Membership of the IWW (which was located within a day’s automobile journey to the North Coast), who passed a strongly worded resolution “applauding the courage and ingenuity” of *Earth First!* and its use of direct action to defend the earth from destruction, but also challenging the lack of accountability by the “leadership” of the same and questioning the *Industrial Worker*’s uncritical articles on *Earth First!*.⁴⁵ Bay Area IWW

⁴¹ “Deep Ecology and its Critics”, by Kirkpatrick Sale, *The Nation*, May 14, 1988.

⁴² Shillock, Winter 1989, op. cit.

⁴³ Shillock, Winter 1989, op. cit.

⁴⁴ “Responses to *Earth First!* vs. the Rumor Mongers”, *Industrial Worker*, October 1988.

⁴⁵ “Resolution by the San Francisco Bay Area General Membership Branch of the IWW”, signed by Jess Grant, *Industrial Worker*, January 1989.

member Louis Prisco was especially incensed, calling out the *Industrial Worker* editors for blatant violations of democratic principles as well as chiding Earth First! for its defense of Malthus—pointing out that even the primitivist leaning *Fifth Estate* had done the same thing—and echoing the growing chorus of critics of Ed Abbey for his aforementioned, questionable statements.⁴⁶

Ed Abbey responded, describing Prisco's statements as "slanders" and (for no apparent reason) compared the latter to Murray Bookchin, calling both "Marxoid Dogmatists" (which is untrue as both Prisco and Bookchin considered themselves anarchists). Although he didn't state it directly, Abbey's defense of his positions were certainly Malthusian and indeed, *quite* racist (Abbey suggested that immigrants from third world nations, particularly Latin America had a tendency to breed rapidly, and his comments that Mormons did also didn't mitigate the prejudicial and unscientific basis for his claims).⁴⁷ Abbey insisted:

"[Marxoid Dogmatists] persist in their traditional beliefs that some kind of social reorganization, or more industry, technology and growth, or improvement in moral standards, can somehow solve all of our political, economic, environmental, personal and public difficulties. But this is not thinking; this is merely a reflex doctrinaire response to problems that are genuinely novel and more complex than any human culture has had to confront before...

"My real crime, therefore, is raising heterodox questions that require painful thinking—or even more painful rethinking. Ideologues have gone beyond thinking, and they fear pain. Therefore they react to challenge not by honest and workmanlike intellectual debate but by relapsing at once into the easy habit of name-calling."⁴⁸

However it was *Ed Abbey* (not Bookchin or Prisco) who had engaged in name calling, and Malthusianism was about as rigid and ideological as anything suggested by either Bookchin or Prisco (both of whom were more than eager to challenge most of the dogma issued by actual "Marxoid Dogmatists").

⁴⁶ Prisco, op. cit..

⁴⁷ "Edward Abbey Strikes Back", letter to the editor, by Ed Abbey, *Industrial Worker*, March 1989; It must be pointed out that Bookchin—for all of his faults and there are many, including his tendency to engage in nasty responses to his critics and his dubious dismissal of class struggle near the end of his life—has received a rather unfair blanket condemnation from many Earth First!ers, including Judi Bari, despite the fact that he stated, for the record, that he considered Earth First! "among the most courageous people in the environmental movement today, that I earnestly support their efforts to preserve what little is left of our original habitat, and I reject any attempt to characterize them as 'terrorists,' 'fascists', and the like.", as stated in both the *Earth First! Journal*, August 1, 1990 and the *Anderson Valley Advertiser*, September 19, 1990.

⁴⁸ Abbey, March 1989, op. cit.

Angry readers responded to Abbey, pointing out several fallacies in his thinking (including some points that undermined his seemingly “biocentric” perspectives). Steve Nelson, an IWW member from Chicago, wrote:

“Mr. Abbey claims that his total opposition to immigration is not racist because the majority of working-class Americans are opposed to ‘illegal’ immigration. This proves nothing. As Marx pointed out, the dominant ideas of any class society are those of its ruling class. This means, that in periods of a downturn in class struggle, workers will tend to accept the racist, sexist arguments put forward by the reactionary bastards who run this, and every other, country. It is our responsibility to counter these ideas with solid, working-class politics... Only the solidarity of ‘ and native labor can win. All immigration controls are inherently racist and serve to strengthen the capitalist state...

Only Stalinists and liberals drool over the promise of bigger and better industry. As revolutionaries, we call for an end to the enormous waste of resources and the overproduction of goods that results from capitalist competition. While we cannot retreat to a pre-capitalist utopia, we can avoid the deepening cesspool of capitalism. Wealth and technology, in the hands of the working-class, will be used to promote and defend life, not to produce more wealth for parasites. Mr. Abbey’s pessimism is a shoddy addition to the tradition of the IWW and the socialist movement in general.”⁴⁹

In his defense, Ed Abbey was no reactionary. It would be more accurate to say that he was ignorant of many issues, but at times, even he was capable of lucid, class analysis, as evidenced by his review of the book *Fear at Work: Job Blackmail, Labor, and the Environment*, by Richard Kazis and Richard L Grossman in the Beltane / May 1, 1988 issue of the *Earth First! Journal*, where he spoke favorably of Earth First!ers and unions (such as the OCAW) making alliances over common issues, oddly enough, at almost exactly the same time the IWW started the discussion on combining efforts with Earth First! to begin with. One can only guess how Abbey would have responded to the ongoing criticisms from the IWW, because he passed away on March 14, 1989, while they were still circulating.⁵⁰

The most frustrating aspect of the apparently unbridgeable chasm between Earth First! and the IWW was that the two most adversarial factions had little direct connection to the struggles actually taking place in Humboldt and Mendocino Counties. Even the *Earth First! Journal* took little notice of King’s and Cherney’s attempts to build bridges with the workers on the North Coast. The Wobblies critical of Earth First! meanwhile focused mainly on Dave Foreman’s and Ed Abbey’s less than sympathetic

⁴⁹ Letter to the editor by Steve Nelson, *Industrial Worker*, May 1989.

⁵⁰ The *Earth First! Journal*’s Beltane / May 1989 edition included a special, four-page pull-out tribute to the late author.

attitudes towards timber workers which were largely colored by pro-management front groups like TEAM and WE CARE. For their own part, Franklin Rosemont did not report on Cherney and King anywhere in the two *Industrial Worker* issues covering Earth First! at all either! *Indirectly*, the discussion had been sparked by the injury to George Alexander due to a spiked log and inadequate safety conditions in L-P's Cloverdale mill, but the context of that incident likewise wasn't discussed. An organizing effort by the IWW would have been most beneficial in northwestern California, but no mention of the IWW's proposed alliance with Earth First! was made in either the Beltane (May 1), 1988 *Earth First! Journal* or the three issues that followed it.⁵¹ The two sides were focusing on all of the wrong areas, and on all of the worst aspects of Earth First! and timber workers rather than the far greater common ground that actually existed.

All was not lost however. Two IWW organizing drives began at the environmental canvass operations of Greenpeace in Seattle and SANE in Oregon, but both drives soon petered out.⁵² The IWW would organize several recycling shops in Berkeley, but these took place later. Finally, in November, Earth First! noticed that the IWW had been discussing an alliance with them, and there was a good reason for this. Despite all of the wrong turns and acrimonious debate, the two were indeed in the process of uniting for real, right where that combination was needed most, in the redwood forests of California. There was new Earth First! organizer and IWW member leading it. Her name was Judi Bari.

⁵¹ The *Earth First! Journal* is published on the pagan holidays of northern Europe, specifically, Brigid (February 2), Eostar (basis of the word "Easter"; March 20 / Vernal Equinox), Beltane (May 1 / May Day), Litha (June 21 / Summer Solstice), Lughnasadh (August 1), Mabon (September 22 / Autumnal Equinox), Samhain (November 1), and Yule (December 21 / Winter Solstice). These dates correspond to the seasonal progressions in Earth's northern hemisphere; the equinoxes and solstices are reversed in Earth's southern hemisphere, of course.

⁵² "Seattle Greenpeace Phoners Organize to Resist Management Clamp-Down", *Industrial Worker*, August 1988; "Greenpeace Closes Seattle Phone Bank In Response to IWW Organizing Drive", *Industrial Worker*, September 1988, and "Portland, Oregon Sane Fundraisers Organize IWW Shop", *Industrial Worker*, October 1988.

11. I Knew Nothin' Till I Met Judi

*Now there's one thing she really did for me, (did for me),
Was teach me all 'bout labor history, (history)
So now I can relate to the workin' slob, (workin' slob),
Even though I never had a job.*

—Lyrics excerpted from “I Knew Nothin’ Till I Met Judi”, by Darryl Cherry, ca. 1990.

Judi Bari (ne Barisciano), the second of three daughters, was born on November 7, 1949 in a working class neighborhood in a suburb of Baltimore, Maryland, where most of the nearby families were employed in the local steel mills. Bari’s mother Ruth, however, had made history by earning the first PhD ever awarded to a woman studying mathematics at Johns Hopkins University. Bari’s father, Arthur, was a diamond setter, and from him, Bari developed extremely steady hands, which later became a boon to her considerable artistic skills. Bari’s older sister, none other than Gina Kolata, became a famous science writer for the *New York Times* and *Science* (although many Earth First!ers, including Bari herself, would argue that Bari’s older sister’s “science” is distorted by corporate lenses), while her younger sister, Martha, was, by Bari’s description, “a perpetual student”. Judi Bari’s upbringing may have been “Middle Class” by most definitions, but her parents, survivors of the McCarthy era in the 1950s, passed on their closet radicalism to their receptive middle daughter, including teaching Bari old IWW songs (and admonishing Bari not to reveal her source) and lecturing all of their daughters against racial and ethnic prejudice. From the get-go, Bari had radical roots.¹

Judi Bari, in spite of her background as a “red diaper baby”, became politically radicalized on her own accord, having at first been apolitical, even into her first years at the University of Maryland, choosing at first to follow the high school football team, even seeking dates from some of the players as her primary social activity. However, Bari soon became disillusioned with the sexist and racist culture of high school football, having been told not to date an African American player by some of the white ones, who threatened to ostracize her socially if she did. Bari gave in to this threat, an act

¹ “From Cheerleader to Earth First!: Judi Bari”, by Bruce Anderson, *Anderson Valley Advertiser*, November 11, 1989.

she later regretted, though this was her first and only capitulation to the status quo. From that point onward, Bari grew increasingly radical.²

At first, Bari primarily ventured into the late 1960s countercultural scene, but as time progressed she began to take notice of events in Vietnam and Cambodia, joining antiwar protests with fellow student radicals at the University of Maryland, which frequently attempted to take over US Highway 1, then the main highway into “War Maker Central”, Washington DC. Bari was at first enamored with the “Sex, drugs, and rock & roll” and hippie culture, but as she became more politically astute, she began to more deeply understand the roots of systemic exploitation. She realized that the uprisings of the black community, the resistance of third world peasants to first world colonialism, the feminist movement, and the struggle by the working class against wage slavery were all one struggle of the oppressed many against the elite few.³

Bari’s journey was by no means direct. She struggled with the contradictions of the so-called “free love” movement, which was often used by hippie men as an excuse to continue to justify the continued subjugation of women, and she stopped dating men for a year because of it.⁴ She was heterosexual in orientation, noting that sexuality was something she was born with, but she also discovered that men, by their cultural upbringing were often incapable of intimacy.⁵ She was initially attracted to Maoism, but her parents talked her into jettisoning that philosophy for more indigenous radical traditions, arguing that it was strategically foolish to tie the antiwar movement to a foreign power, in this case China. Bari later agreed that this was sound wisdom, herself reasoning that an American radical left was superior (in an American context) than looking overseas for a model. She was also drawn to the Yippies, but grew disenchanted with them after meeting Jerry Rubin, a man she described as “a real pig, a disgusting human being, and a complete phony.”

Bari’s most significant realization, both personally and politically came after she flunked out of college. As a student worker, in the school cafeteria, she had been allowed dress casually, and she was treated as one of the students; but, as a non-student worker, she was required to don a uniform, and the students now treated her with contempt, even throwing food at her at one point.⁶ Having flunked college, she didn’t have a marketable skill she could use the exercise her middle class privilege.⁷ This was Bari’s first real introduction to class discrimination, and she noticed that the students, even the supposedly radical ones, treated the workers with contempt. Bari quickly became

² Anderson, November 11, 1989, op. cit., and “Judi Was No Cheerleader; She was a ‘Jock Sniffer’”, letter to the editor by Judi Bari, *Anderson Valley Advertiser*, November 22, 1989.

³ Anderson, November 11, 1989, op. cit..

⁴ Anderson, November 11, 1989, op. cit. and “Judi Was No Cheerleader; She was a ‘Jock Sniffer’”, letter to the editor by Judi Bari, *Anderson Valley Advertiser*, November 22, 1989.

⁵ “In the Middle of Run Away History: Judi Bari, Earth First! Organizer, Mississippi Summer in the California Redwoods”, interview by Beth Bosk, *New Settler Interview*, issue #49, May 1990.

⁶ “Bari Reflects on an Activist Past”, by Keith Michaud, *Ukiah Daily Journal*, May 21, 1990.

⁷ Bosk, May 1990, op. cit.

a class struggle activist both on and off campus.⁸ This was in part driven home by the fact that Bari's entire adult working life was spent performing unskilled manual labor, through which she developed a deep sense of empathy for all workers.⁹

Bari continued her political education and antiwar activism, participating in a group called the "Mad Dogs", who functioned as a Marxist equivalent to an affinity group. They "lived together, rioted together, and studied Marxist literature together," and, often times, they were arrested together in nonviolent demonstrations. Through this process, Bari realized that the establishment relies heavily on the police and military to maintain order. And while the 1960s and early 1970s were a heady time, with some rioting carried out by the protesting youth, the police and National Guard were not only not the preventers of violence, they were usually the *perpetrators* of violence. Bari experienced a good deal of police brutality, including one incident where she was thrust up against a wall and a gun was shoved into her side by policemen who then ransacked her apartment.¹⁰ She witnessed several of her friends being clubbed in the streets, and one who was tossed down a flight of stairs on his skull and suffered permanent brain damage as a result.¹¹

Bari noticed that her fellow student radicals, who came from privileged backgrounds often failed to understand the gravity of their situation, even upon being subjected to police brutality¹², especially given the fact that African-Americans suffered police brutality on a much deeper and more fundamental level.¹³ Bari had several run-ins with the FBI (as did many radicals in the 1960s), including at least one case where she was set up by an undercover agent provocateur.¹⁴ Yet Bari remained undaunted in her efforts to overthrow a system she saw as inherently corrupt, violent, and unjust.¹⁵

Bari's workplace experiences also steadily radicalized her. For two years, she involved herself in rank and file activity in the Retail Clerks Union in the course of her working in a bakery and a grocery store, devoting almost as much time to the union as the job.¹⁶ Bari encountered the same corruption in the union's hierarchy as she did in society as a whole, having many confrontations with the official leadership, including one incident where, from the floor, she denounced the incumbent union chief as being full of "bullshit." The latter responded by grabbing the microphone away from Bari, still in mid-speech, and yelling "watch your language young lady!" in retort. The largely African-American rank and file started yelling from the audience, "Leave her alone, mothafuggas! She can say whatever she wants!" thus foreshadowing a pattern

⁸ Anderson, November 11, 1989, op. cit..

⁹ Bosk, May 1990, op. cit.

¹⁰ Anderson, November 11, 1989, op. cit..

¹¹ Bosk, May 1990, op. cit.

¹² Anderson, November 11, 1989, op. cit..

¹³ Bosk, May 1990, op. cit.

¹⁴ "Exposing the FBI", by Judi Bari, *Anderson Valley Advertiser*, June 12, 1991.

¹⁵ Anderson, November 11, 1989, op. cit..

¹⁶ Bosk, May 1990, op. cit.

Bari would experience from then on in dealing with labor fakirs, in which she would have the support of the masses much to the indignation of the annoyed leadership whom she challenged. As it was then, and as it would be, Bari would usually have truth as well as popular support in her corner, and in this case, the corrupt leadership attempted to buy her off, which she unhesitatingly rejected.¹⁷

Instead, following what was to become yet another consistent life pattern, Bari and her fellow rank and file militants began publishing a dissident newsletter, the *Union Hot Sheet*, to battle corruption (including MAFIA influences) and provide a means to network with other dissidents far away, as the local actually encompassed three states (foreshadowing a trend of business unions in the 1990s to consolidate over large areas and stamping out rank and file democracy in the process). The paper was popular among the rank and file and, as can be expected, reviled by the leadership. Bari was wrongfully terminated four times over the course of the next three years, and reinstated, in spite of the leadership's corruption, due in no small part to the rank and file organization she and her fellow dissidents had built. This culminated in a strike vote in 1974, and during the strike, many of the rank and filers picketed during the day en masse, and at night some of them engaged in direct action, deflating scab tires and putting glue in the company locks. However, the union's leadership's corruption was too great to overcome, and being desperate to prevent a rank and file opposition, they openly collaborated with management and broke the strike.¹⁸ Bari later attributed this failure to "boring from within" following the model once proposed by William Z. Foster and the Communist Party.¹⁹ Bari was discouraged, but soon recovered to fight again.²⁰

Bari's workplace activism continued. After working in the construction trade, where she learned carpentry skills, she took a job working for the US Postal Service in the Washington Bulk Mail Center in 1976.²¹ Bari's job was to load and unload trucks.²² This facility was one of twenty such centers in the United States and functioned more

¹⁷ Anderson, November 11, 1989, op. cit..

¹⁸ Ibid.

¹⁹ Bosk, May 1990, op. cit. Foster was actually an IWW member, having joined in 1909, when he took part in one of the IWW's free speech fights in Spokane, Washington. He became a committed syndicalist after touring Europe in 1910 and 1911, and criticized the IWW for not working within established unions or within the workshop in any event. He urged American leftists to enter the AFL unions (thus boring from within), rather than establish rival unions, as the IWW had tried to do. He also denounced electoral politics as a dead end that smothered the revolutionary ardor of these groups by channeling their energies into pursuit of office, with all the compromises that entails. Foster lost the battle, however, and soon thereafter left the IWW and formed his own organization, the Syndicalist League of North America (SLNA). Foster's political perspectives gravitated more and more towards Stalinism however, and he jettisoned his syndicalist views. It's not clear whether or not his belief in boring from within came from his syndicalist or his Stalinist experiences, but his admonishment to the IWW to "bore from within"—a call that was echoed by the Stalinist Red Trade Union International just a few years later—was not a strategy generally advocated by syndicalists.

²⁰ Anderson, November 11, 1989, op. cit..

²¹ Bosk, May 1990, op. cit.

²² Anderson, November 11, 1989, op. cit..

or less like a factory. It handled no letters, only packages, and, as was the case in Bari's previous experiences, the unions were corrupt and usually sided with management.²³ The government attempted to institute several efficiency standards and install equipment that would automate tasks to meet their goals, but these efforts failed. Seeking to conceal their failures and maintain a projected budget for political reasons, management refused to hire additional workers and forced the current employees in the facility to work overtime, sometimes as much as sixty hours per week during normal periods, expanding to eighty-four during the holiday rush in December.²⁴ Additionally, harassment, micromanaging, and inadequate safety measures (no doubt made even more lax by the drive to "efficiency"), resulting in industrial accidents were rampant. One worker was even sucked into one of the machines and killed, and what made this incident worse, was the feeling that most of the workers had that such an event had been inevitable.²⁵ The conditions were horrible enough to draw the interest of Jack Anderson who consented to Bari and her coworkers smuggling in one of his reporters to expose the atrocities.²⁶

While their situation was unenviable, it also afforded the workers certain advantages, including the fragility of maintaining the frantic pace and the tendency of the machinery to break down. Having only heard of the IWW through her parents' folksongs, Bari (and her coworkers) proceeded to exploit the bulk mail center's weaknesses, essentially engaging in a "strike on the job", much like the IWW timber workers of old.²⁷ The workers engaged in sickouts, collective marches on the boss (who, being white, were largely intimidated by the predominantly black workforce), deliberately keying the machinery to incorrectly sort packages (which gummed up the works significantly), and even refusing to work overtime on holidays by all quitting their shifts at the same time.²⁸

The tactics escalated as the workers began to realize more and more of their collective power, and gained confidence each step of the way.²⁹ Some of the tactics the workers used could have come from the pages of Ecodefense, though that publication hadn't yet seen the light of day. Instead of boring from within, the workers were adopting the model followed by the IWW. The workers operated completely outside of the official union structure, ignoring the grievance procedure, abstaining from union meet-

²³ Bosk, May 1990, op. cit.

²⁴ "Dear Molly MaGuire and Nedd Ludd: Mail Handler Judi", by Judi Bari, *Industrial Worker*, August 1992; although this entry wasn't *fully* credited to Judi Bari, it was most definitely her account, because the descriptions here match the descriptions of this history in the other mentioned sources, and the spelling of "Judi" is also a clue. The column took its name from the "Dear Nedd Ludd" columns in the *Earth First! Journal*, as by 1992, Earth First! and the IWW working together on was the rule, rather than the exception.

²⁵ Bosk, May 1990, op. cit.

²⁶ Anderson, November 11, 1989, op. cit..

²⁷ Bosk, May 1990, op. cit.

²⁸ Bari, August 1992, op. cit.

²⁹ Bari, August 1992, op. cit.

ings, and publishing a dissident newsletter. Called *Postal Strife*, it satirized the postal service's official publication, *Postal Life*, the latter of which, featured a marijuana joint smoking buzzard, instead of the familiar American eagle. This time, Bari and her coworkers were successful, and broke the power of management.³⁰

Their efforts yielded quick results. Within a year, the overtime was eliminated in the Washington Bulk Mail facility, the safety conditions improved, and accident rate decreased. The year after that, the officialdom of the union collapsed, and Bari and her fellow dissidents took over the leadership of their union local. Bari was elected chief shop steward (the highest union position in the plant), and expedited grievances, which had formerly lingered in limbo. Their collective strength made it possible to get rid of the worst supervisors, as management attempted to quell dissent by replacing the former with friendlier management to appease the union and restore order.³¹

Bari was not fooled into thinking that this was a complete victory, because she understood that this was but a battle and not the war itself, as it barely scratched the surface of systemic corruption, and to drive home the point, one of her African-American fellow workers pointed out that she was able to get away with the direct action more easily because she was white. From this experience, Bari learned that one of the most powerful ways she could help others realize their power was to put her privilege to use in aiding those without it (Bari understood this from both ends, being a woman, though one of middle class upbringing). Through this process, she realized a certain joy in discovering collective power and overcoming oppression. Bari was especially drawn to movements (like the IWW and Earth First!) that had strong cultural traditions, especially musical ones, and noted that the antiwar movement was greatly enhanced by rock and roll.³² Bari worked at the Washington Bulk Mail Center until 1979 when she met her husband to be, a fellow union organizer named Mike Sweeney, who convinced Bari to relocate to Santa Rosa, California.³³

Bari was reluctant to move to the west coast, but Sweeney had children from an earlier marriage already living there, so she ultimately consented. After arriving in Sonoma County, she worked in the wineries, often advocating for workers' rights there as well.³⁴ Bari and Sweeney had two daughters of their own, Lisa and Jessica, but their marriage wouldn't last more than half a decade. Sweeney was becoming increasingly mainstream politically, whereas Bari maintained her radicalism, this time joining in the local chapter of Committee in Solidarity with the People of El Salvador (CISPES) and Pledge of Resistance, through which she would eventually meet Betty and Gary Ball of Mendocino County, who were also involved in Earth First!.³⁵

³⁰ Bosk, May 1990, op. cit.

³¹ Bari, August 1992, op. cit.

³² Bosk, May 1990, op. cit.

³³ "Earth First! and COINTELPRO", by Leslie Hemstreet, *Z Magazine*, July / August 1990.

³⁴ Michaud, May 21, 1990, op. cit.

³⁵ "Judi Bari Dies, but Her Spirit Lives On", by Nicholas Wilson, *Albion Monitor*, March 2, 1997; and "Symbolic Protest at City Businesses", by Peter Page, *Ukiah Daily Journal*, May 22, 1987 (the

Bari and Sweeney split, more or less amicably, and Bari relocated to Ukiah. She sought employment to help take care of her two daughters, and she tried, unsuccessfully, to get a job working in one of the lumber mills.³⁶ Failing that, she sought employment as a carpenter and—having hung drywall at the newly opened Mendocino Environmental Center for her friends, Earth First!ers Betty and Gary Ball, whom she had recently met—Bari found a job working for California Yurts, where Gary Ball was the bookkeeper. She started as a mud and taper, but soon revealed she had much greater skill as a carpenter. Bari, already familiar with forest preservation and environmentalism grew increasingly furious that she was using old growth redwood to build a vacation homes for wealthy executives, and the fact that this one in particular reminded her of the *Playboy* mansion particularly offended her.³⁷ According to Bari:

“I was working in Boonville as a carpenter, putting old growth redwood siding on some rich asshole’s house up near Faulkner Park: 2,500 square feet for a single man. Ugly goddam house, too. I looked at these beautiful twenty-foot long redwood boards—tight grain, no knots—and I said to Gary Ball, the bookkeeper for California Yurts at the time, ‘Is this old growth redwood?’ He told me it was. He also told me it was a thousand years old. So I’m putting thousand year old trees on this rich prick’s dumb house!”³⁸

Bari soon discovered, much to her chagrin, that the wood had come from the old growth redwoods Humboldt County—quite likely from one or more of the groves currently being contested by Earth First! and EPIC.³⁹

Bari, who had been trained on the violin in classical music as a child, wrote her first of many protest songs in response⁴⁰, and in one instance in 1987, she chance to perform some of them live in a benefit that also featured Darryl Cherney, though the two didn’t formally meet then.⁴¹ Her efforts didn’t stop there, however:

“I got a photo of the clearcut from which the redwood came, and I put it on the man’s living room wall. But that didn’t make me feel better...every day I had to drive over the Boonville grade to get to work and see the bee-line

article details a joint protest by Earth First! and CISPES over the clearcutting of Central American Rain-forests. Betty Ball is quoted as a spokesperson for Earth First! Although not mentioned in the article, Judi Bari is clearly visible on the left side of the accompanying photograph.)

³⁶ “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, 1988, New York, NY, and London, Guilford Press., page 255.

³⁷ Bosk, May 1990, op. cit.

³⁸ Anderson, November 11, 1989, op. cit..

³⁹ Bosk, May 1990, op. cit.

⁴⁰ Anderson, November 11, 1989, op. cit..

⁴¹ Interview with Darryl Cherney, August 21, 2008.

of trucks hauling redwood going the other way. The contradiction was too great. I felt a strong pull to do something for the forests.”⁴²

Bari was aware of Earth First!’s existence, through her associations with the Balls and others who were active in Mendocino County Earth First!, but she was initially hesitant to join the radical environmental movement. Bari recounts, “I was deeply offended by their beer-drinking, baseball hat macho bullshit. I also didn’t like Earth First!’s reliance on these...men whose statements on AIDS and immigration completely turned me off.”⁴³ That was logical; Bari was also an ardent feminist, and had already made a name for herself for challenging sexism, even among the local back-to-the-landers in the local green movement.⁴⁴

However, Bari was open to the deep ecology and conservation biology promoted by Earth First!, as she later recalled:

“A forest is much more than trees. It’s an entire interrelated ecosystem...there is no way of replacing an old growth forest. They say, ‘Well, the tree grows back.’ But a forest ecosystem took tens of thousands of years to evolve. And if you go into an area that has been logged, you don’t see the ferns on the ground, the wildlife...Right now our society is based on the notion that we will take everything we can from the earth, we will get the earth to give us everything we can possibly suck out of it. Instead, we need to scale down our needs to what the earth can produce on a sustained level... The very concept of leveling these ancient beings so a couple of gluttonous millionaires can get rich is obscene. We have to look at this in a longer term review. What are we doing to the earth’s ability to sustain life?...

“I think that all beings are equal—not just that all humans are equal. I don’t think that anything has the right to destroy the entire planet, or any other ecosystem...

“I was raised back East, and my parents were very progressive, but the life in which I was raised was not connected to the earth...people go from their air conditioned house to their air conditioned car to their air conditioned job.”⁴⁵

⁴² Bosk, May 1990, op. cit.

⁴³ Anderson, November 11, 1989, op. cit..

⁴⁴ This saga is detailed in a series of letters written by Bari to the *Mendocino Commentary* protesting what she perceived to be demeaning images of women in suggestive attire and poses drawn by another woman named Judi (Judith Brown). Brown’s “femlins” were advertisements for “The Chocolate Mousse”, a local Mendocino business.

⁴⁵ Bosk, May 1990, op. cit.

But Bari's concept of deep ecology went *beyond* that of many Earth First!ers, and she was not blinded by misanthropy:

"The way that the companies treat the workers is neither separate from nor subordinate to the way that they treat the forests. These companies are anti-life. They are not just anti-trees. They destroy the life of the forests. They destroy the life of the workers. And they destroy the life of people in Third World countries.

"And I see it all as being interrelated. I don't think that all humans are guilty. Most of us are born into this and don't support it. It's not to our benefit. It's only to the benefit of a very few. But we are under the control of a very few, very rich people who are so selfish that they care only for themselves...

"Ultimately, the timber workers are not the beneficiaries of this deforestation, this stripping nude of the forest that is going on. And not only are the timber workers not the beneficiaries, they are even more the victims than we are because their lifeblood is being exploited to do this.

"They aren't paid what they are worth. They are not paid the value of their labor. The corporations make their profits so that Harry Merlo can have his Shangri-la and Charles Hurwitz can have his twenty million dollars. And those profits are made in two ways: they are made by extracting value from the workers (in other words, by not paying them the amount of value of what they produce), and it's made by extracting value from the earth, by not replacing what we take from the earth."⁴⁶

Bari didn't see the environment or the workers as separate concerns and felt that the biggest obstacle to the success of Earth First! and the ecology movement in general was a middle class arrogance that treated workers as willing pawns:

"The reason that the timber companies have been so successful in convincing workers that environmentalists, rather than the corporations, are their enemies, is because of our middle class arrogance, our dehumanizing of them. There have been as many Earth First!ers who say it is the loggers to blame as there are loggers who say it is the Earth First!ers to blame. We have fallen right into this timber company trap of setting us against each other, of creating a contradiction amongst the people, people who should be in alliance with each other. Our interests, even in the short term, are the same.

⁴⁶ Bosk, May 1990, op. cit.

“For example, clear cuts are capital intensive not labor-intensive. Clear cuts are a way of eliminating loggers jobs...as are herbicide sprays—which also (injure) the loggers—as are computerized green chains, which have appalling accident rates because they are so dangerous.

“And of course the company’s attitude towards the workers are no different than their attitude towards the trees...

“The workers are in much better position than we are to do something about it, because they have their hands on the machinery and if they don’t work, the trees don’t go. We don’t have that power. The workers have much more power than we do, and that’s why the companies put so much more effort into brainwashing them than they do the public in general. The subjugation that they have to face to work there is enormous...It’s a question of taking direct action on the workroom floor. Of doing it (themselves). The only justice is the justice (they) make (themselves).”⁴⁷

This was especially true in the case of George Alexander, whom, Judi Bari observed, was sympathetic to the issues raised by Earth First!, but in general, Earth First! hadn’t paid attention to this and (at least the prominent spokespeople) had responded to his injuries insensitively:

“I feel for the forest as well as for the man, but I felt for the man too. And he from his hospital bed said, “I’m against tree spiking, but I’m against clear cutting too.” And Earth First! (outside of northwestern California) didn’t reach out. They just arrogantly grumbled, “We’re going to keep tree spiking, but we didn’t do that particular spike.” I felt that wasn’t taking responsibility, because (Earth First! does) endorse tree spiking—I personally don’t endorse tree spiking, by the way. I think the danger to mill workers is real, and I think the number of mill workers who would be on our side otherwise, who we alienate, exceeds the number of trees that we save.”⁴⁸

Bari was also deeply offended by Dave Foreman’s, Edward Abbey’s, and Christopher Manes’s comments about immigration, starving Africans, and AIDS, even if taken out of context or meant as dark humor, though she would later discover that the vast majority of Earth First!ers were equally offended by these comments and the main spokespeople were not representative of Earth First! in general.⁴⁹

Nevertheless, it seemed either by fate or by circumstance, Judi Bari would eventually join Earth First!, which is precisely what happened, and it was in the course of her

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Bosk, May 1990, op. cit.

second encounter (and first formal meeting) with Darryl Cherney that this took place. As he recalls it, Cherney was having trouble designing a brochure for his own campaign for Congress. Bari walked into the Mendocino Environmental Center, in May of 1988, where Cherney happened to be working on the project. MEC coordinator Betty Ball knew Bari was a talented graphic artist, and quickly dispatched the latter to assist Cherney.⁵⁰ Bari had used this talent for many years, at first making signs for football rallies, but later using it to design leaflets and dissident union newsletters.⁵¹ Ball introduced the Bari and Cherney to each other and suggested Bari might help with the layout. Darryl remembered how Judi worked ably on the layout, all the while making fun of him for his conceit in running.⁵² Darryl eventually responded to this humorously, penning yet another song, *Running for my Life*,⁵³ but at the moment he instantly fell in love with her, and they became for the next two years a romantic couple.⁵⁴ He also convinced her, finally, to join Earth First!. As Bari later recalled, “Darryl said something to me that stuck: ‘Well, you can start a Mendocino group (independent of Earth First!), but you’ll be starting from scratch. Or we can (join the) local Earth First! (group) and we can have the corporations shaking in their boots.’”⁵⁵

Judi Bari was neither aware of the dialog currently taking place between Earth First!ers and the IWW, nor did she fully realize that the IWW still existed. However, in one of the very first conversations Bari and Cherney had (after dinner at her house and in between his guitar playing and her fiddle playing), she told him much about IWW history and how it applied very closely to the campaigns being waged currently by Earth First!.⁵⁶ The next thing Bari did as an Earth First!er was propose hosting a labor history workshop, prominently featuring the IWW’s history, at the annual California Earth First! rendezvous to be held that September.⁵⁷

What happened after that is a matter of legend, and how the actual events unfolded depends largely upon who recalls it. Having borrowed Bari’s copy of *Labor’s Untold Story* by Richard Boyer and Herbert Morais of the United Electrical Workers—which contains a brief history of the Wobblies, or at least the early history of the Wobblies—Cherney came to the realization that Earth First! was the direct descendant of the IWW, and to this day he sometimes refers to Earth First! as the “Latter Day Wobblies”.⁵⁸ That Dave Foreman, Ed Abbey, and others had already made this connection

⁵⁰ Wilson, op. cit.

⁵¹ Anderson, November 11, 1989, op. cit..

⁵² Wilson, op. cit.

⁵³ Featured on the album, *They Sure Don’t Make Hippies Like They Used To*, by Darryl Cherney, 1988.

⁵⁴ Wilson, op. cit.

⁵⁵ Anderson, November 11, 1989, op. cit..

⁵⁶ Harris, David, *The Last Stand: The War between Wall Street and Main Street over California’s Ancient Redwoods*, New York, NY, Random House, 1995

⁵⁷ Bosk, May 1990, op. cit.

⁵⁸ Interview with Darryl Cherney, August 21, 2008

might not have initially dawned on either Cherney or Bari, since the former didn't propose any connection beyond the IWW's cultural influences.

Bari announced her intentions to hold the workshop somehow to some or all of the contacts on the Earth First! mailing list featured in the *Earth First! Journal* (though there is no record of such an announcement *in* any of the issues between May 1988 and the time of the rendezvous).⁵⁹ According to some accounts, including an occasional recounting by Utah Phillips—whose career as a folk singer featured the spinning of colorful yarns—Bari referred to the IWW in the past tense and was surprised to learn that the IWW still existed, when various dues paying IWW members in the various Earth First! groups informed her of her error.⁶⁰ Whether or not this is true is unknown, as there is no known proof of this happening. Judi Bari *did* recount, two years later, that she was contacted by IWW members offering helpful suggestions, including Utah Phillips, who told her then, “The Earth isn’t dying, it’s being killed, and the people who are killing it have names and addresses.”⁶¹

Darryl Cherney recalls that he came across or was given a copy of the May 1988 *Industrial Worker* (which had been distributed in large numbers at the annual Earth First Round River Rendezvous that summer) after having read Labor’s Untold Story, and offered a copy to Judi—who was already planning her workshop on the history of the IWW—and suggested they contact the IWW. Cherney was amazed to find that Bari *already* had a copy of the issue, but doesn’t know how she had obtained it. Bari then contacted the IWW’s General Headquarters—then still located in Chicago—and asked for assistance in organizing her “history of the IWW” workshop at the California Earth First! Rendezvous in September 1988. The specific details of how or when Judi contacted the IWW, and the specifics of that conversation are not entirely clear, but according to Cherney, it happened very quickly.⁶²

Gary Cox recounts that Utah Phillips contacted the IWW’s General Executive Board and requested that they help finance Cox’s travel expenses. Phillips also contacted his long time friend and fellow IWW member and musician, Mark Ross, in Butte, Montana. Ross, in turn, contacted Montana IWW member Art Nurse who had joined the IWW in 1918 and had paid dues consistently since then. Nurse had been the veteran of many IWW campaigns and no doubt knew many of the loggers and millworkers who had won the eight-hour day by striking on the job in 1917. He had also helped keep a Missoula IWW office open for many years through his work

⁵⁹ Bosk, *op cit.*; Bari could not have made her announcement in the *Journal* itself, because a careful examination of all three issues of the newsletter between May 1988 and September reveal no announcements about the IWW workshop. The California Rendezvous is announced in the Lughnasadh (August 1), 1988 issue, but there is neither any mention of Judi Bari nor the IWW workshop there. It’s most likely the announcement was made in a local, north coast Earth First! newsletter, and then mailed out to the list of contacts featured in the *Earth First! Journal*.

⁶⁰ If there is any truth to this legend, there’s no proof of it, other than anecdotal accounts and individuals’ memories.

⁶¹ Bosk, *op cit.*

⁶² Cherney, *op. cit.*

and donations of his pension (he had been a union longshoreman in Texas for many years). Nurse agreed to help finance sending an IWW member to California for the conference. Mark called Gary Cox, and Cox—who was already sympathetic to Earth First!—agreed to go.⁶³ Cox flew to San Francisco and was met by Utah Phillip’s friend, Earth First! folk singer Dakota Sid Clifford. Clifford, Cox, and a third Wobbly named Billy Don Robinson (from Oregon) then met with Bari, the workshop was organized.⁶⁴ The event was announced in the local mainstream press, though no mention was given by them of the IWW.⁶⁵

Meanwhile, as if to drive home the point that Earth First!, in Mendocino County anyway, was not going to hesitate to build bridges with unionized workers, Judi Bari and Betty Ball contacted the United Farm Workers (UFW) to support them in their boycott of pesticide sprayed grapes. The UFW very enthusiastically welcomed Earth First!’s participation, and on the evening of August 26, 1988, a group of ten activists, including Bari, Cherney, Ball, and Eric Fried, demonstrated inside and outside of the Safeway in Ukiah, in solidarity with the affected grape-pickers.⁶⁶ Echoing the joint pickets of L-P by the IWA, Carpenters Union, and Mendocino Greens against herbicide aerial spraying of loggers, these workers, the UFW, and Earth First! were protesting against the growers’ use of toxic pesticides, such as phosdin, parathion, methyl bromide, dinoseb, and captan. Evidence suggested that the children of the farmworkers exposed to these chemicals experienced an alarmingly high rates of birth defects, and both the adults and children experienced increased rates of cancer. The activists drew the connection between poisoning the workers as well as the Earth, and tied the issue to similar conditions experienced by timber workers.⁶⁷ The protest lasted about 15 minutes before the Ukiah police ordered the demonstrators to disperse, which they did with no arrests.⁶⁸

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⁶³ Interview with Mark Ross, held October 13, 2009. Art Nurse never expressed any strong opinions for or against Earth First!, but he believed anyone who was inspired enough to call on the IWW was worthy of support. Ironically, for many years, former Montana Republican Senator Conrad Burns had a campaign office that shared a wall with the IWW office, and Mark Ross recalls hearing Burns campaigning from his office next door!

⁶⁴ Various interviews with Gary Cox, held between July – August 2008. Cox does not recall the details of how Judi Bari contacted the IWW, nor do Allan Anger, Darryl Cherney, Barbara Hansen, Franklin Rosemont, or Penelope Rosemont. Unfortunately, Judi Bari and Utah Phillips died long before this part of this book was conceived, and quite likely the actual details are likely lost in the depths of time.

⁶⁵ “Earth First! Plans Campout”, staff report, *Eureka Times-Standard*, August 22, 1988.

⁶⁶ “Local Grape Protest Ends Peacefully”, by Randy Foster, *Ukiah Daily Journal*, August 28, 1988.

⁶⁷ “Environmental Group Joins UFW in Grape Boycott”, by Judi Bari and Darryl Cherney, *Country Activist*, Mid-September 1988 and *Industrial Worker*, October, 1988 (the latter edition was abridged slightly; Bari wrote an untitled protest song against herbicides which appeared in both editions).

⁶⁸ Randy Foster, August 28, 1988.

The California Earth First! rendezvous, which was held September 16-18, 1988, turned out to be very well attended and highly successful.⁶⁹ Judi Bari offered an equally positive account as her first article to the *Earth First! Journal*,⁷⁰ and Crawdad Nelson, who also attended and participated (conducting a workshop on how Earth First!ers can most effectively dialog with timber workers), reported on the conference for the *Anderson Valley Advertiser*.⁷¹ About 200-300, most (but not all) of them Earth First!ers, and a handful of curious supporters camped in among old-growth Douglas Fir stands in the Marble Mountains of the Siskiyou National Forest, in nearby Siskiyou County.⁷² The overwhelming attendance was no doubt bolstered by the triumphant news from Humboldt County that a California state appeals court judge had overruled Judge Buffington's overturning of the TROs on P-L THPs at Lawrence and Shaw Creek.⁷³

The gathering itself began ominously, but finished well. Several local breweries rescinded their offer to donate kegs of beer after learning that it was an Earth First! gathering, not wanting to enable "tree spiking terrorists," and the Hoopa, Karuk, and Yurok tribes were initially upset that the event took place on their land during the week of sacred ceremony, however the latter softened their perspective somewhat and actually sent representatives to address the activists, who welcomed them with open arms.⁷⁴ Veteran Earth First!ers were impressed with the level of planning, outreach, and organization done by Judi Bari.⁷⁵ Bari, in turn was impressed with the absence of male machismo and sexist behavior by the local Earth First!ers. Bari credited this to the strong feminist contingent of the local groups and because the "worst known offenders didn't show up". Bari gave special mention to Greg King and Darryl Cherney who made particularly strong efforts to include women workshop leaders and performers.⁷⁶

Several well attended workshops took place, including one on tree spiking (controversial though it was), taught by Mikal Jakubal (the very first Earth First!er to conduct a tree sit), who was watched the entire time by two "Freddies" (forest service employees), who stood in the audience and took Jakubal's pictures. The activist insisted the workshop was "just for fun", to which the Freddies responded, "the photos would be just for their own scrapbooks". Other workshops included Holistic Forestry, led by independent logger and woodworker Jan Iris; the aforementioned workshop by Crawdad Nelson; combating offshore oil drilling, led by none other than Lionel Gambill; and Tree Sitting, led by Kurt Newman and Greg King, and many others. Of course, for

⁶⁹ "Wobs Conduct IWW Workshop at Environmental Conference", staff report, *Industrial Worker*, October 1988.

⁷⁰ "California Rendezvous", by Judi Bari, *Earth First! Journal*, Samhain / November 1, 1988.

⁷¹ "Earth First! Meets the Wobblies", by Crawdad Nelson, *Anderson Valley Advertiser*, December 7, 1988.

⁷² *Industrial Worker*, op. cit.

⁷³ "P-L: Worker Control", by Andy Alm, *EcoNews*, September 1988.

⁷⁴ Bari, November 1, 1988, op. cit.

⁷⁵ "One Crucial Detail", by Crawdad Nelson, *Anderson Valley Advertiser*, December 14, 1988.

⁷⁶ Bari, November 1, 1988, op. cit.

Judi Bari, the most important workshop was that on the history of the IWW, led by herself and Gary Cox.⁷⁷

The IWW workshop was attended by over 120 participants and well received by all, and most of the attendees were enthralled by Gary Cox's oral history of the Wobblies in the Pacific Northwest, particularly in the lumber industry. One logger even declared he was going to go back to the woods and organize his crew, though nobody knows what became of him or his efforts. Cox was likewise equally impressed with the Earth First!ers present. Many of the points of contention that were currently being batted back and forth between the likes of Ed Abbey and Louis Prisco (among others) were discussed in great detail, and while the debate was heated at times during the workshop, most found common ground, and Cox agreed that it would be a mistake to paint all Earth First!ers with a broad brush, also sensing that there was much the Wobblies could learn from Earth First!. Cox also noted that Earth First!ers were just as concerned about the lack of accountability to the rank and file by the *Earth First! Journal* as were the editors at *Libertarian Labor Review*, and Earth First!ers in attendance even asked if the IWW could provide some ideas on how to introduce democratic control over it.⁷⁸

Cox also admonished the assembled Earth First!ers to emphasize respect for workers and to deal with them as equals, rather than from a position of moral superiority, even if they seemed like they have been "brainwashed" by their employers.⁷⁹ One question on many minds was "What kind of lessons do you think we of Earth First! can learn?" to which the Wobbly speaker responded, "You have to realize the levels that they are going to go to repress you. This isn't polite. You give up your privilege when you really challenge their power."⁸⁰ He cited some of the repression (including hangings, beatings, shootings, and jail sentences), faced by Wobbly organizers in retribution for their effectiveness, but reminded all that this never dampened the IWW's spirit.⁸¹ Cox concluded on an uplifting note, intoning that solidarity was the movement's best weapon and encouraging the crowd to remember the Wobbly motto, "An Injury to One is an Injury to All", noting also that Earth First! took that to a deeper level, applying it to all species, not just humans, a message that was well received.⁸²

The rendezvous concluded well. Proving that "the singing union" and "the singing environmental movement" could sing in good harmony, music also played a big part in

⁷⁷ Bari, November 1, 1988, op. cit.

⁷⁸ *Industrial Worker*, op. cit.

⁷⁹ Nelson, December 7, 1988, op. cit.

⁸⁰ Bosk, May 1990, op. cit.

⁸¹ Nelson, December 7, 1988, op. cit.

⁸² Various interviews with Gary Cox, held between July – August 2008. Cox does not recall the details of how Judi Bari contacted the IWW, nor do Allan Anger, Darryl Cherney, Barbara Hansen, Franklin Rosemont, or Penelope Rosemont. Unfortunately, Judi Bari and Utah Phillips died long before this part of this book was conceived, and quite likely the actual details are sadly lost in the depths of time.

the gathering.⁸³ As a special treat, Cherney and Dakota Sid performed a set devoted to the IWW, including the songs *Hallelujah I'm a Bum*, *Preacher and the Slave*, *Casey Jones the Union Scab*, and *50,000 Lumberjacks*.⁸⁴ As Judi Bari relayed to the Earth First!ers, "The IWW is not your typical AFL-type union; the AFL-CIO wouldn't be caught dead at an EF! Rendezvous." She also noted that, "Not only is Earth First! engaged in serious political work, but we also know how to throw one hell of a party," (even without beer).⁸⁵

Judi Bari expressed interest in further support from the IWW, including sending more organizers, to which Cox responded that *she* should be that organizer, explaining that she had the ability to join the IWW and convince others to do so as well. Bari was initially skeptical about joining the Wobblies herself, but Cox convinced her to overlook any shortcomings with the contemporary IWW and utilize the union's potential to organize a working class environmental movement. Judi Bari and Darryl Cherney and a few others were then officially initiated by Billy Don Robinson. Cox later recalled that he thought that Bari was one of the best organizers he ever met.⁸⁶

The editors of the *Earth First! Journal* enthusiastically welcomed joining ranks with the IWW (at least at first), and finally acknowledged the connection in the Samhain / November 1, 1988 issue, noting both the May and September issues of the *Industrial Worker*, a new IWW campaign to organize canvassers at Greenpeace, and the California Rendezvous.⁸⁷ Earth First!ers Dale Turner and John Davis noted that potential benefits of such an alliance could lead to joint campaigns, such as port blockades of old growth log exports (and imports of rainforest logs), Japanese fish, and American shrimp. They noted that, at the very least, the coalition of the two could undermine jobs versus the environment rhetoric issued by the employers' PR machine.⁸⁸

Only Earth First!er George Draffan, of Spokane Washington, (who had once been a dues paying IWW member himself) expressed any public skepticism, noting that while he supported the joining of labor and environmental movements, the Wobblies were now a very small union, and that many timber workers in the US and Canada were no longer unionized anyway. Draffan concluded by mentioning, as an aside, that Weyerhaeuser, based primarily in Washington State, suffered approximately \$10 million annually in equipment sabotage, but that sabotage was primarily carried out by disgruntled workers acting individually under cover out of disgust and revenge for the union busting by the employers. He noted that a traditional strike was unlikely to succeed in any case, because the employers were in the habit of stockpiling as much as

⁸³ Bari, November 1, 1988, op. cit.

⁸⁴ Nelson, December 7, 1988, op. cit.

⁸⁵ "Bari, November 1, 1988, op. cit.

⁸⁶ Cox, op. cit.

⁸⁷ "Wobblies Fight for the Environment", by Dale Turner, *Earth First! Journal*, Samhain / November 1, 1988.

⁸⁸ "From the Vortex", by John Davis, *Earth First! Journal*, Samhain / November 1, 1988.

two years worth of timber in advance for various economic reasons.⁸⁹ Something more effective would be needed, but Draffan didn't offer a solution, never considering that the most effective weapon might have been a strike on the job, as was done by the IWW in 1917. There remained much the IWW and Earth First! could learn from each other.

According to already established Earth First! tradition, a direct action or series of them always followed a rendezvous, and this most recent example was no exception. Immediately after the event, the organizers, including Judi Bari, Darryl Cherney, and IWW member Billy Don Robinson staged a daylong series of actions targeting "criminals responsible for the greenhouse effect." Judi Bari described it as "an all day roving picket line," following another storied IWW tactic. The organizers drafted a series of indictment forms with blanks to fill in the company's name and quickly created some banners reading, "GUILTY, GUILTY: GREENHOUSE EFFECT VIOLATOR." Deciding to use their time most effectively, they chose the Simpson Pulp Mill in Arcata, Pacific Lumber in Scotia, Eel River Sawmills, and a public hearing on offshore oil drilling.⁹⁰

The first action targeted Simpson and was highly dramatic. A caravan of 100 arrived at the pulp mill in Arcata in the early morning. The "raggedy mob" blockaded the mill entrance and ambushed several truck drivers, "howling like coyotes". The first driver was receptive to the demonstrators, and proceeded to "kick back and enjoy the show". The second driver was not so sympathetic and charged the blockade. The demonstrators chanted "Stop Mr. Block" (referring to the cartoon blockhead, created by IWW artist Ernest Riebe, who lacked class consciousness and who naïvely and continually aligned himself with the employers no matter how many times his experiences should have taught him otherwise). Earth First!er Corbin Soloman dove under the front wheels of the moving semi, and the driver halted his advance within inches of the prone Earth First!er. Robinson jumped up onto the truck's running board attempted to dialog with the driver, who remained unreceptive and threw a punch at Robinson. After a 30 minute standoff that backed up trucks on the highway in both directions, police arrived and the demonstrators willingly dispersed. Successfully misdirecting the sheriffs, the demonstrators shouted "Eel River Sawmill's next!" but proceeded to Scotia instead.⁹¹

At Scotia, the demonstrators sang Darryl Cherney's songs *You Can't Clearcut Your Way to Heaven* and *Where Are We Gonna Work When the Trees Are Gone?* but no

⁸⁹ "What's Really Going On in Timber", letter to the editor by George Draffan, *Earth First! Journal*, Samhain / November 1, 1988, and *Anderson Valley Advertiser*, November 16, 1988.

⁹⁰ "Guilty! Guilty!: Earth First! – IWW Greenhouse Demo", by Judi Bari, *Earth First! Journal*, Samhain / November 1, 1988, *Industrial Worker*, March 1989, and *Mendocino Commentary*, October 6, 1988; in fact all three articles are slightly different, and the version that appears in the *Commentary* is substantially abridged, suggesting that all of them derive from a common press release.

⁹¹ "Guilty! Guilty!: Earth First! – IWW Greenhouse Demo", by Judi Bari, *Earth First! Journal*, Samhain / November 1, 1988, *Industrial Worker*, March 1989, and *Mendocino Commentary*, October 6, 1988.

trucks were running that day, for reasons unknown. They were soon greeted by counterdemonstrators, most of them women mobilized by TEAM and WECARE, yelling anti-Earth First! slogans. The Earth First! women quickly organized a delegation, instructing the men to stay back, approaching each counterdemonstrator one-on-one, which calmed down the latter. With the help of a local minister, who was receptive to both sides, the two groups scheduled an upcoming dialog to discuss common ground and try and resolved differences.⁹²

Moving on to the next two targets, the demonstrators hung a banner on an Eel River Sawmills log deck on US 101 without incident, and then proceeded to the public hearing. There, after listening to bureaucrats pontificate about the benefits of offshore drilling, the Earth First!ers and IWW members responded, led by Darryl Cherney with his guitar in hand, singing a song he penned, called *We're all Dead Ducks*, while the rest of the demonstrators quacked at the appropriate moments in the song's chorus. The demonstrators put their literal exclamation point on the hearing by shouting "Sonic BOOM!" in response to one speaker claiming that sonic booms don't affect marine mammals, which certainly effected the mammalian bureaucrats assembled in the meeting.⁹³ Though this was a promising beginning indeed, these actions were not yet full-on shop floor organizing; that was still to come, but come soon it would.

There were immediate ripple effects of the IWW-Earth First! dialog that were felt throughout the Pacific Northwest, though. Billy Don Robinson had been an employer at Steven Daubenspeck and Stevenson (SDS), a logging corporation based in Oregon, who was rapidly clearcutting forests there much like Maxxam was in Humboldt County (a practice that had disgusted Robinson), until he had suffered an accident in 1986. He returned to Oregon in time to take part in joint protests organized by a coalition including Earth First! and the IWW against clearcutting a stretch of virgin old growth oak trees along the White Salmon River. The actions culminated in protests over environmental destruction and worker exploitation, including a picket of a hotel owned by SDS, that took place on October 24, 1988, including one arrest.⁹⁴

Not long after that Earth First!ers and IWW members joined striking members of Sawmill Workers Local #2929 in Roseburg, Oregon. This action was part of a two state strike against Roseburg Forest Products involving members of the IWA and WCIW in Anderson and Weed, California, and Roseburg, Oregon that began on January 2, 1989.⁹⁵ The company's demands had included a dollar per hour wage cut, even though

⁹² "Guilty! Guilty!: Earth First! – IWW Greenhouse Demo", by Judi Bari, *Earth First! Journal*, Samhain / November 1, 1988, *Industrial Worker*, March 1989, and *Mendocino Commentary*, October 6, 1988.

⁹³ "Guilty! Guilty!: Earth First! – IWW Greenhouse Demo", by Judi Bari, *Earth First! Journal*, Samhain / November 1, 1988, *Industrial Worker*, March 1989, and *Mendocino Commentary*, October 6, 1988.

⁹⁴ "Wobblies & Environmentalists Take on Tree Nazis...and Win!", by Lisa Loving, *Industrial Worker*, December 1988.

⁹⁵ "GP Workers Want Change: Federal Mediation in Fort Bragg", by Crawdad Nelson, *Anderson Valley Advertiser*, July 26, 1989.

owner, Kenneth Ford, was then one of the 400 richest men in the world, worth over \$230 million. The company was expanding and making record profits, thus the concessions it demanded were more of the same intensified class war against timber workers begun by L-P and Harry Merlo in 1983.⁹⁶ The strike lasted five months, and though the workers were supported by the local businesses in the community, the strike was essentially lost when the 3,500 members of the Western Council of Industrial Workers (WCIW) and the 800 members of the IWA involved in the strike ultimately settled at a \$0.60 per hour wage cut and reductions in benefits.⁹⁷

All was not lost in this struggle, however. One striker, a millworker named Gene Lawhorn, observed that the vast majority of the scabs used by the company during the strike sported yellow ribbons on their automobile antennae. Yet, Lawhorn also noted that Earth First!ers were marching in solidarity with his fellow workers on the picket line, a trend that would continue for some months. Lawhorn's view of environmentalists and the yellow ribbon changed drastically as a result, and he became an environmentalist himself.⁹⁸ Through these direct experiences Earth First!ers and timber workers were indeed beginning to realize they needn't be enemies.

Judi Bari's letters of protest appeared in issues 315 (December 17, 1987, on page 2—Judi Brown responded defending her work) and 316 (January 7, 1988, page 4). "Blue Jay" penned a letter in support of Judi in issue 317 (January 21, 1988). Howard Weiss and W. J. White added their support to Bari, while William James Kovanda, Eleanor Cooney, and Douglas Roycroft (himself an IWW member) defended Judith Brown on the grounds of "free speech" in issue 320 (misidentified as 310 on the cover of the March 3, 1988 issue; the letters appear on page 4). Judi Bari wrote a third letter arguing her position in that same issue. There were a substantial number of varying responses in issue 321 (misidentified as 311 on the cover of the March 17, 1988 issue; the responses appear on pp. 4 – 5).

Judi Bari also made significant waves by defending the Planned Parenthood clinic in Ukiah that same year against rabid anti-abortion demonstrators ("Save the Unborn or We'll Kill You", by Bruce Anderson, *Anderson Valley Advertiser*, November 30, 1988). Bari probably stirred up a hornet's nest by cowriting the song *Will the Fetus Be Aborted* with Darryl Cherney (to the tune of *Will the Circle Be Unbroken*) and performing it at this demonstration in defiance of the anti-choice crowd. One of these anti-choice activists present at the demonstration was none other than Jack Azevedo.

IWW and general labor history are replete with legends and folk tales assuming the character of actual history. For example, the late Archie Green has argued (in *Wobblies*

⁹⁶ "Friends Indeed", letter to the editor, by Gene Lawhorn, *Industrial Worker*, May 1989.

⁹⁷ "GP Workers Want Change: Federal Mediation in Fort Bragg", by Crawdad Nelson, *Anderson Valley Advertiser*, July 26, 1989. Initially the IWA members rejected the compromise, and that action represented the first time in 26 years that the WCIW and IWA had failed to vote the same way in joint bargaining sessions.

⁹⁸ "Prelude to Compromise", by Gene Lawhorn, *Earth First! Journal*, Litha / June 21, 1993.

and Pilebutts), that there is no conclusive or solid evidence that the term “Wobbly”—which is considered an officially recognized moniker for a generic IWW member—originated from sympathetic Chinese restaurant owners in the Pacific Northwest who had difficulty pronouncing the letter “W” in IWW; but this folk legend is often cited as gospel nevertheless.

Likewise, the notion that the word “sabotage” derives from workers throwing wooden sabots (shoes) into machines to thwart their operation by disgruntled workers, cited favorably and heroically for example in Hollywood movies, such as *Star Trek VI, the Undiscovered Country*, is apocryphal.

The source of such legends varies, from romantic IWW members (such as in the example of “wobbly”) to employing class propaganda, whose anti-IWW rhetoric painted pictures of Wobblies burning crops, murdering politicians, or collaborating with the Central Powers in World War I—all accounts known (even at the time the propaganda was issued) to be blatant falsehoods.

12. The Day of the Living Dead Hurwitles

“I’m sure as owners and managers, the employees of (Pacific Lumber) will protect their resources through the concept of sustained yields...Pacific Lumber Co. and the redwoods are a national environmental issue. National public support for employee ownership will be forthcoming from around our great country.”

—Rick Ellis, *Eureka Times-Standard*, October 2, 1988

“Shouldn’t we stop exporting our logs and stop selling to other mills so our young employees will have a job in the future? What about the generation that follows?”

—Lester Reynolds, Pacific Lumber monorail mechanic.

No sooner had the IWW joined forces with Earth First! on the North Coast when they found their hands full. One of the provisions of the recently passed Proposition 70 was the purchase (at least in theory) of several parcels of forest land, including the highly contested Goshawk Grove owned by Eel River Sawmills, which comprised a 900 acre tract of virgin redwoods and Douglas fir at the headwaters of the Mattole River. ERS had committed to negotiating the sale of that grove to the public, but their vice president, Dennis Scott, had made unreasonable demands including a prohibition on media coverage, no public comment, approval of several preexisting THPs within the parcel in question, an offer of much less land than had been proposed by the environmentalists, and finally that they be paid in old growth logs purchased from P-L instead of cash. P-L management no doubt approved of this Faustian bargain (indeed, it is not out of the question that they had *suggested* it), because it benefitted Maxxam’s bottom line. The CDF kept threatening to approve one of ERS’s demanded THPs (1-88-520), and EPIC responded by declaring that they would seek a TRO. Meanwhile, Earth First! and others organized their supporters for a direct action to prevent any logging there.¹

On the surface, it seemed that defending the Sanctuary Forest would not be difficult. Like the fight for the nearby Sally Bell Grove, the fight to preserve this grove had gone

¹ “Triple Victory in ‘Three Day Revolution’”, by Darryl Cherney, *Earth First! Journal*, Dec. 21 (Yule), 1988 (also published in the *Anderson Valley Advertiser*; and in the *Country Activist* under the alternate title “The Cahto Story” in the Feb. 1989 and March 1989 issues.

on for at least a decade, and at least 250 local citizens, including veterans of various environmental campaigns in the “Mateel” region, Earth First!, and EPIC had pledged their support. As luck would have it, fate would deal them a number of twists. First, in what amounted to a clear case of bureaucratic stonewalling, the CDF kept obscuring and changing the perspective date for which they would review THP 520. Finally, on October 25, 1988, CDF resource manager Len Theiss approved it at 4:45 PM on October 25, 1988. By that time the 250 activists, including Greg King, were in position, along with an additional 21 Earth First!ers who had been temporarily recruited from Oregon following a local rendezvous recently held there, but Earth First! found its numbers divided by *another* action not too far away.²

Following the California Rendezvous, Judi Bari had immediately involved herself in organizing forest defense campaigns and building bridges with local activists hitherto ignored by Earth First!. Bari’s first move following the September gathering had been to call a meeting of Earth First! in Ukiah, at which Micheal Huddleston and Steven Day, who were not Earth First!ers, but sympathetic local watershed activists, attended and requested Earth First!’s assistance in defending the 16,000 acre Cahto Peak wilderness in northwestern Mendocino County that was in danger of being clearcut, again by ERS, in a Bureau of Land Management (BLM) timber sale. Ukiah Earth First! reached consensus in favor of assisting them, and planned a “wilderness walk” (essentially a trespass) to scope out the threatened area.³ Huddleston and Day feared that cutting would begin in the spring of 1989, but rumors circulated that the date might be moved up to as late October. Sure enough, on October 24, the day before ERS was to begin logging in Goshawk Grove, A call came in from the newly opened Mendocino Environmental Center (MEC) in Ukiah—which was staffed by Earth First!ers Betty and Gary Ball—that announced that ERS was *already* cutting logging roads into the Cahto Wilderness!⁴

Quickly, Judi Bari scrambled approximately 30 additional Earth First!ers (including Darryl Cherney) and other local environmentalists to defend the Cahto Wilderness from ERS. While the Sanctuary Forest defenders successfully held off ERS there, the hastily mobilized Cahto “wilderness walk” managed to shut down the road building actions. The latter mobilization involved the use of two dozen cleverly placed road blockades to slow down the loggers’ advance—as there was only one remote forest road into the threatened stand—but the loggers got paid anyway (as it was a BLM sale). Additionally, since this action was organized on the fly in a huge hurry, the Earth First!ers and locals improvised cleverly, as Huddleston and Day contacted the Cahto Indian Tribe, who in turn contacted California Senator Alan Cranston, and discovered that the sale violated conditions of a treaty with the Cahto.⁵ North Coast

² Cherney, December 21, 1988, op. cit.

³ “In the Middle of Run Away History: Judi Bari, Earth First! Organizer, Mississippi Summer in the California Redwoods”, interview by Beth Bosk, *New Settler Interview*, issue #49, May 1990.

⁴ Cherney, December 21, 1988, op. cit.

⁵ Bosk, May 1990, op. cit.

Earth First!ers and IWW members had helped manage to win what they thought was a two-front battle, but they soon learned that they had won on *three* fronts!⁶

While all of the actions in the forest had been taking place, on October 26, the Sierra Club and EPIC teamed up yet again to file still *another* lawsuit to try and prevent logging of THP 1-88-462HUM, which had been approved by the CDF, that would allow Pacific Lumber to log 2,000 year-old redwoods in a 236 acre cut known as Owl Creek.⁷ This was the tenth legal challenge filed against a Pacific Lumber THP since the Maxxam takeover, according to company attorney Jared Carter. In the court proceedings, presided by Superior Court Judge William Ferroggiaro, Sierra Club spokeswoman Lynn Ryan described the contested area as the heart of a potential wilderness area that they hoped could be purchased for part of a park area with bond money. Carter countered arguing “We’ve got men and equipment working in the field. It would cause harm to Pacific Lumber Company if you grant a TRO.”⁸ The judge granted the TRO anyway, but only upon the condition that environmentalists post a \$50,000 bond to indemnify P-L for the potential losses Carter described. Neither EPIC nor the Sierra Club had the money, so they appealed the decision to the State Court of Appeals in San Francisco who upheld the TRO without the bond the following day.⁹

The dragged out legal process left Owl Creek relatively undefended in the meantime, however. Already Maxxam had demonstrated that they could not be taken at their word as far as living by the letter of the law as far as THPs were concerned. Gregori had called King to inform him of the impending threat only to find that Earth First! couldn’t spare any additional bodies. The simultaneous Cahto Wilderness and Sanctuary Forest actions had spread Earth First!’s resources to their limit. There was every certainty that P-L would take advantage of that, and it is entirely possible that the CDF, ERS, and Maxxam had colluded to time all three cuts at once for that very reason. Suspecting this and lacking any other recourse, on October 27, while waiting for the courts in San Francisco to rule on the appeal, Gregori and Ryan decided to head out towards Owl Creek *themselves*, even though this created the potential risk of a conflict of interest.¹⁰

The pair drove into Fortuna, used a payphone in town to confirm that the appeal had been awarded, and then drove out Newburg Road to monitor THP 462. They found the logging gate open, a convoy of loaded logging trucks heading the other direction, and something still worse. The logging road that Maxxam had illegally flagged the previous year in the case that became EPIC vs. Maxxam was still being *further* cut into the heart of Headwaters Forest. The two were detained by P-L supervisors and

⁶ Cherney, December 21, 1988, op. cit.

⁷ “Anti-Hurwitz Protest Hits the Streets”, *Santa Rosa Press Democrat*, December 8, 1988.

⁸ “PL Returns to Court for 10th Legal Challenge”, by Marie Gravelle, *Eureka Times-Standard*, December 9, 1988.

⁹ “Court Upholds P-L Restraints”, *UPI Wire*, *Eureka Times-Standard*, December 10, 1988.

¹⁰ “Harris, David, *The Last Stand*, New York, NY, Times Books, Random House, 1995, pages 252-53.

then arrested for trespassing, but news of the illegal road and its violation of court order got out and it emboldened further legal actions by both the EPIC and the Sierra Club.¹¹

Judi Bari quickly engaged the local Earth First! chapter into yet another alliance building attempt, this time with pro-choice defenders of the Ukiah Planned Parenthood Clinic. Recently Reverend Dave Broyles, a pastor of Calvary Way Church, and Bill Staley, a former professional football player (with the Cincinnati Bengals and Chicago Bears) and L-P millworker from Potter Valley had organized weekly anti-abortion demonstrations there.¹² The pair's rhetoric had been incendiary, and Staley had spread numerous inaccuracies and untruths about the clinic's funding and policies that made it sound like abortions were plentiful, cheap, and easy (when they weren't).¹³ At one point, a woman and her two children—whose purpose at the clinic may have not even been related to abortion—were allegedly accosted by an anti-abortion ideologue who threatened them by saying to the mother, "I'll rape you and make you have the baby." This was too much for Judi Bari, who organized a counterdemonstration in which the two sides, each numbering about fifty, engaged in confrontational back-and-forth dialogue, in which Bari (and Cherney) urged the anti-abortion ideologue who had threaten rape (assuming that he was present) to show himself. Some of Bari's fellow counterdemonstrators found her in-your-face-stance to be divisive, while others, including *Anderson Valley Advertiser* editor Bruce Anderson retorted that the so-called "pro-lifers" were beyond reason and rational thought.¹⁴ Whatever the case, Bill Staley never forgot the incident and declared Bari an enemy from that moment forward.¹⁵

North Coast Earth First! wasted no time in responding to P-L's attempts to log Owl Creek and Headwaters and scheduled a rally to take place on December 8, 1988. Adopting a horror movie theme that perhaps might have been more appropriate for Halloween, but was generally relevant to the destruction of the redwoods and the Pacific Lumber company wrought by Charles Hurwitz, the rally was billed as "Day of the Living Dead Hurwitzes", in which the demonstrators would all show up wearing paper masks with the likeness of the aforementioned corporate raider and mourn the death of the redwoods, Scotia, and the loggers' jobs. Darryl Cherney explained the relevance of the theme stating, "Perhaps 100 Hurwitzes zombying through their town will make it clear that they cannot escape him until they exorcise this Wall Street demon out of their spirit."¹⁶ Earth First! graphic artist Tom Yeates, at Darryl Cherney's

¹¹ "Ghoulish Protest: More Maxxam Nightmares", by Andy Alm, *EcoNews*, December 1988.

¹² "Pro-Choice Rally Draws 18 Supporters; Sides Gear Up for Clash at Planned Parenthood", by Randy Foster, *Ukiah Daily Journal*, November 22, 1988.

¹³ "Evil Lurks in Ukiah", letter to the editor by Bill Staley, *Ukiah Daily Journal*, November 24, 1988.

¹⁴ "Save the Unborn or We'll Kill You", by Bruce Anderson, *Anderson Valley Advertiser*, November 30, 1988.

¹⁵ "Who Bombed Judi Bari?", Judi Bari interviewed by Beth Bosk, *New Settler Interview*, Issue #89, 1995.

¹⁶ "Anti-Hurwitz Protest Hits the Streets", *Santa Rosa Press Democrat*, December 8, 1988.

request, even designed an elaborate graphic drawn to resemble a B-Movie promotional poster.¹⁷

On the day of the demonstration, as the two giant lumber mills and the newly built power cogeneration station carried on their operations as normal, about 100 activists, including Bari, Cherney, and King, assembled at 11 AM. As called for in the rally posters, the demonstrators wore funeral attire and masks bearing the likeness of Hurwitz and marched through the town of Scotia, singing mock Christmas carols like:

*God rest ye merry lumbermen, May nothing you dismay,
Remember Charlie Hurwitz, Has debts he has to pay,
So watch him haul your redwood trees and pension fund away,
Oh tidings of hunger and fear, hunger and fear...
Oh tidings of hunger and fear.*¹⁸

Many of them carried cardboard coffins bearing the words “security”, “community”, “economy”, and “ecology.”

They were greeted by 200 angry counterdemonstrators bearing signs which read, “No More Parks!”, “Save Our Jobs!”, and “Jobs First!” (with Earth First! covered by a negation slash-circle). They had set up a loudspeaker that broadcast country & western Christmas carols with the intention of drowning out any of the music and chants uttered by the Earth First!ers. Just to be certain, they shouted and screamed obscenities at the demonstrators, in front of the Pacific Lumber headquarters, such as “Earth First! go home!”, “Why don’t you go back where you came from, and leave us alone?”; “You use paper!”, “What a bunch of hypocrites! Paper is a wood product!...what about your houses and furniture!”, as Humboldt County sheriffs looked on.¹⁹

The activists didn’t blench. “You’re out of a job!” responded about 100 or so Charles Hurwitz lookalikes. Darryl Cherney countered, “Our job is to put reins on the timber industry. Without environmentalists, you have a rape and run system.” Both groups included children. At one point, a young boy emerged from one of the faux coffins that bore the words “our future” symbolizing the death of the same. The counterdemonstrators shouted, “You’re sick!”²⁰ The befuddled child, no doubt overwhelmed by the borderline abusive onslaught by the hostile reception committee, began to cry.²¹ One woman counter demonstrator exclaimed, “My nine year old knows what’s going on but you don’t have him coming out of coffins!” If Earth First and the IWW were trying to reach out to the workers, by appearances they were not succeeding.²² The reality was, as one would guess, stranger than the fiction.

¹⁷ Interview with Darryl Cherney, August 21, 2008.

¹⁸ “Protesters Clash in Front of P-L Property”, by Marie Gravelle, *Eureka Times-Standard*, December 9, 1988.

¹⁹ “Day of the Living Dead Hurwitzes”, by Crawdad Nelson, *Anderson Valley Advertiser*, January 11, 1989.

²⁰ Gravelle, December 9, 1988, op. cit.

²¹ Harris, 1995, op. cit., page 258.

²² Crawdad Nelson, January 11, 1989, op. cit

Ironically more closely resembling the stereotype they so quickly identified with the environmentalists, many of the counter demonstrators were not actually P-L employees, and many of them didn't live in Scotia. TEAM and WECARE representatives dominated the opposition, a fact so obvious that even the *Eureka Times-Standard* had to admit it. A large contingent of Eel River Sawmills and Don Nolan Trucking and others were present.

"You're shutting down the whole county," shouted Ross Fisher, who worked for the ironically named gyppo firm Lyall Logging. Sierra Club representative Lynn Ryan answered this accusation declaring, "We're talking about the boom and bust cycle."

"You're asking us to slow down the cutting? We don't have any control to do that. Why are you attacking all these people?" screamed Eel River employee Sue Akins, evidently equating the protesters' identification of a perceived problem as "an attack".

Protester Carrie Pierce responded, "All I'm concerned about is jobs for my children."²³ All the while, John Campbell watched from the window of his office while pandemonium ensued on the main thoroughfare leading in and out of the heart of Scotia.²⁴

It was not as though Campbell was relishing what was unfolding. If anything, it was those speaking on his behalf who were making a mockery of the entire affair. When one of the counterdemonstrators repeated the by now already tired old saw about Earth First!ers being "unwashed-out-of-town-jobless-hippies-on-drugs," Judi Bari quickly retorted, "Bullshit! I'm a full time carpenter, I live in Mendocino County, and my wages will soon be paying for *your* welfare checks once Charles Hurwitz had mowed down all the remaining redwoods!" When several loggers dared Cherney to fight, he stood his ground and admonished them to go to Houston and punch Hurwitz instead.²⁵ All of this was captured by the TV cameras and broadcast later on the network news stations. The lack of decorum on behalf of the counter demonstrators was blatant enough to bother even Gary Gundlach who attempted to restrain some of the howling mob he had helped create. "I didn't want to see anybody blow up," he said sheepishly, perhaps not understanding the danger in recruiting loose cannons to serve as fronts for corporate greed. Miraculously, nobody was arrested at the event.²⁶

²³ Gravelle, December 9, 1988, op. cit.

²⁴ Harris, op. cit..

²⁵ Harris, op. cit..

²⁶ Gravelle, December 9, 1988, op. cit. Gundlach's supposedly conciliatory tone here is betrayed by his ideological pro-corporate dogmatism, best expressed in a letter to the editor in which he declared, "How many people realize that civil disobedience, sabotage, and 'anti-baby' ideology is strongly promoted by these (environmental) groups?...There is just as much evidence that the earth goes on 'despite us'. For every scientist that says deforestation is causing the greenhouse effect, there is one who says it is caused by volcanoes...Environmentalists scream about corporations taking over, yet they have no problem taking support from corporations (sic!) such as Sierra Club, Audubon Society, Wilderness Society, National Wildlife Federation, and more. Hypocrisy...I believe we can have freedom of enterprise and environmental quality coexistent. I like owls too...", "Times

Gundlach had his hands full, trying to maintain order among his own ranks, in part because there was a new and *especially* unruly player on his “team”, a large and overbearing woman named Candace “Candy” Boak of Eureka. If Gundlach was Roy Cohn, Boak was “Tail-gunner” Joe McCarthy. She, along with her husband John, owned a gyppo logging firm based out of McKinleyville and both had an intense, almost irrational hatred for Earth First!. Candy had monitored Earth First! closely, attending some of their educational meetings—often signing her name pseudonymously as “Georgia Pacific” and “Louise Pacific”—and, like a want-to-be J. Edgar Hoover, kept close tabs on their activities, which—in her paranoid and ultra reactionary worldview, were part of thinly veiled, massive eco-terrorist conspiracy. The counterdemonstration had been largely her idea, the beginning of a long campaign of her own to “monkeywrench the monkeywrenchers,” and while she was not busy screaming corporate timber talking points at her adversaries at the top of her lungs during the Day of the Living Dead Hurwitzes, she was busy trying to determine what jobs or lack thereof (in her mind anyway) they had. Boak claimed to have been a back-to-the-lander herself until she one day “saw the light”, and whether true or not, she made it her mission to excoriate all those “unwashed-out-of-town-jobless-hippies-on-drugs” until they learned to straighten up and fly right. She had certainly made Earth First! take notice in any case.²⁷

The Corporate Media, including the *Eureka Times-Standard* (despite admitting that many of the “workers” didn’t work for PL)²⁸ still dutifully framed the demonstration as a clash between environmentalists and workers. P-L public affairs manager Dave Galitz likewise framed the screaming counter protesters as workers who were “just fed up” with mill closures and THP denials, but this was clearly a superficial description.²⁹ Many of the P-L workers were not only not present, they were generally not supportive of the message being relayed by TEAM and WECARE, even if they weren’t entirely supportive of the demonstrators either.³⁰

Crawdad Nelson, who had attended the rally and had written an account of the goings on there for the *Anderson Valley Advertiser* had interviewed one of counterdemonstrators who claimed to be an actual Pacific-Lumber employee. The worker refused to give their name, but from the responses to Nelson’s questions, it was revealed that the anonymous individual had only recently joined the company, by virtue of being one of the millworkers from the Carlotta facility which had been previously owned by L-P, but acquired by P-L *after* Maxxam’s takeover. Although his responses to Nelson were not entirely full of standard talking points, he nevertheless regurgitated much of the nonsense being spouted by TEAM and John Campbell. Many of the P-L employees

New Roman”, serif”>Tired of Environmentalists”, letter to the editor by Gary Gundlach, *Eureka Times-Standard*, December 11, 1988.

²⁷ Harris, op. cit., pp. 258-59.

²⁸ Gravelle, December 9, 1988, op. cit.

²⁹ Gravelle, December 9, 1988, op. cit.

³⁰ “Northwest Wobs Call for Support to Keep LP Mill Open”, by Judi Bari and Darryl Cherney, *Anderson Valley Advertiser*, December 28, 1989 and *Industrial Worker*, March 1989.

with greater company seniority had stayed away from the counter rally, however, and there was a good reason for it.³¹

* * * * *

It turns out that the workers in question had by now chosen to organize resistance to Maxxam, though not under the banner of the IWW, or even any union for that matter. Instead, they had chosen to pursue a substantially different course with the help of an entrepreneur named Patrick Shannon. Shannon, hailed from Willow Creek in Eastern Humboldt County. He wasn't a logger, nor did he ever formally work in the timber industry himself, though he *claimed* to be from a logging family.³² At most, he was a wood cutter, making a living off of chopping wood on small plots of Yurok Indian land in the northeastern corner of Humboldt County.³³ Instead of organizing a union, he proposed an Employee Stock Ownership Plan (ESOP). As early as February, Pacific Lumber worker Grant Bishop contacted Patrick Shannon (who was friends with his mother) about the possibility of organizing a group of his coworkers about buying the company from Maxxam and operating it as a "worker owned" company. Bishop told Shannon that, "he was distraught over the stepped up harvesting and felt his job was becoming extinct."³⁴

Shannon was nothing, if not charismatic. Between February and August of 1988, Shannon claimed to have met with as many as 150 P-L loggers, lumberjacks, millwrights, foresters, and cat skimmers, individually or in small groups.³⁵ Many of these meetings took place in the fire station of the Pete Kayes' community of Hydesville, located just east of Fortuna, and southeast of Headwaters Forest.³⁶ At one of them, attended by at least forty participants, Shannon received a standing ovation after his presentation.³⁷ Kayes and Lester Reynolds were two of the main organizers of the campaign.³⁸ Indeed, while Kayes may have been practical in his enthusiasm towards the campaign, to Reynolds it was his new religion. Upon hearing of the plan, the Sierra Club and others not only expressed enthusiasm, but asked how they could help the employees succeed in their efforts.³⁹

Patrick Shannon knew all about ESOPs, or at least, that's the message he publicly conveyed. He was co-owner of a company called Sunray Cooperative Trucking, which advertised itself as specializing in ESOPs. Shannon counted as one of his biggest successes the employee takeover of the bankrupt San Francisco franchise of the Yellow

³¹ Crawdad Nelson, January 11, 1989, op. cit

³² Interview with Darryl Cherney, October 9, 2009.

³³ "Employee Takeover of P-L Sought; Corporate Ownership Expert Offers Assistance", by Marie Gravelle, *Eureka Times-Standard*, September 3, 1988.

³⁴ Harris, op. cit., page 232.

³⁵ "Letter from Patrick Shannon", by Patrick Shannon, *Country Activist*, September 1988.

³⁶ "Battle Lines Drawn in P-L Takeover Bid", by Marialyce Pedersen, *Humboldt Beacon and Fortuna Advance*, September 16, 1988.

³⁷ "P-L: Worker Control", by Andy Alm, *EcoNews*, September 1988.

³⁸ "Lumber Mills Go ESOP", *Takeback*, Volume 1, #1. February 1989.

³⁹ Gravelle, September 3, 1988, op. cit.

Cab Company.⁴⁰ According to Shannon, an ESOP not only provided the additional income, but gave workers the “pride of ownership that translates into greater dedication, efficiency, and profitability.” ESOPs also offered certain tax advantages not normally available in conventional corporate buyouts that no doubt appealed to the workers. First, when money is borrowed to finance the purchase of the employee’s company, the loan to the ESOP is repaid with pretax dollars. For example, in purchasing a home, interest on a home loan is deducted from personal earnings before taxes. With an ESOP, both principal and interest are deducted before taxes. Secondly, half of the interest income earned on the loan financing the ESOP is tax free thus rendering the financing of such loans at prime rate or better. On average, the interest rate on ESOP loans was about 85 percent of the market rate at the time. These advantages made repayment of any potential incurred debt in the purchase of the target company a lighter burden. In the case of P-L, this would allow for a return to the sustainable logging practices that preceded Maxxam’s takeover.⁴¹ An ESOP also had the advantage of pooling the risk among many, much like an insurance plan.⁴²

Beyond the initial meetings and discussion among the workers, there were several steps that had to be taken before the plan could move ahead. The next move involved the preparation of a feasibility study and an assessment of the company’s holdings. Shannon proposed that the employees facilitate these studies themselves by raising the needed funds themselves.⁴³ All in all, there seemed to be much to recommend the idea financially, but would the wary P-L workers go for it, and how receptive would Maxxam be to such an offer?

* * * * *

When they finally got word of the ESOP campaign, Maxxam officials reacted very negatively. They declared that Pacific Lumber “was not for sale”, dismissed Shannon as a con-artist who lacked any real support among the workers, and questioned his business acumen.⁴⁴ John Campbell declared, “I just hope (the workers) don’t lose (their money).”⁴⁵ He added, “(The whole idea is) kind of strange...We’re making long-range plans and investing money. There is no intention of selling the company.”⁴⁶ “(It’s) not feasible,” he further stated, “Why have a study when you already know it can’t work?”⁴⁷ Public affairs manager David Galitz echoed Campbell’s sentiments, opining, “We firmly believe (the idea) is creating false hopes. I feel bad for the employees. There

⁴⁰ Gravelle, September 3, 1988, op. cit.

⁴¹ Shannon, September 1988, op. cit.

⁴² “Congratulations on ESOP Formation!”, by Bob Martel, *Country Activist*, October 1988.

⁴³ Gravelle, September 3, 1988, op. cit.

⁴⁴ “PALCO Workers Attend Meeting; Campbell Says, ‘No Sale’”, *Humboldt Beacon and Fortuna Advance*, October 4, 1988.

⁴⁵ “Battle Lines Drawn in P-L Takeover Bid”, by Marialyce Pedersen, *Humboldt Beacon and Fortuna Advance*, September 16, 1988.

⁴⁶ Gravelle, September 3, 1988, op. cit.

⁴⁷ “P-L Employees Leery about Shannon’s Takeover Idea”, by Marie Gravelle, *Eureka Times-Standard*, September 10, 1988.

isn't one who wouldn't want to be the boss, but we have to look at this realistically. Not only is the company not for sale, the employees could never afford it."⁴⁸

Shannon had anticipated "divide and conquer" tactics from Pacific Lumber's management. He pointed out that the company had "not been for sale" either when Maxxam had acquired it, but Campbell rebutted this statement by describing the earlier instance as "a completely different situation", noting that in 1985, P-L was publically traded and the management did not then have controlling interest in the stock, but that currently Hurwitz did under the auspices of MCO.⁴⁹ Shannon countered this by pointing out that sufficient public pressure, perhaps from voters, politicians, labor unions or environmentalists could also induce Hurwitz to agree to a sale.⁵⁰ If it turned out to be the case that Hurwitz *had* been guilty of insider trading in his takeover of PL, this revelation could serve as the catalyst to bring that pressure to bear.⁵¹ Failing that, even if Maxxam refused to sell the company, the workers had other means at their disposal, including a walkout.⁵² Shannon added that he would never *personally* advocate such a tactic, and that he hoped it never came to that.⁵³ Dave Galitz dismissed such talk as empty posturing, claiming that the workers might shut down P-L for a day, but that the company received enough job applications every day to adequately replace striking workers.⁵⁴ Campbell echoed these sentiments, declaring, "We have a tremendous number of very loyal, very responsible employees, and I don't think they'd advocate (striking)."⁵⁵

As for the accusations of Shannon being a con artist, he was apparently used to such things. He explained, "Owners always suggest you're trying to steal somebody's money." According to Shannon, however, none of that money would go into his pocket. "Let (those who doubt me) look deeply and get all the facts. My motives and honesty are proven."⁵⁶ Under the plan, each employee interested in participating in the ESOP would be required to "buy in" by contributing \$500 by depositing that amount in a savings account, *in the worker's own name*, at the Security Pacific Bank in downtown Eureka. Once enough workers had reached critical mass, an elected committee would begin transferring money from these accounts into a joint fund, which they would oversee at the direction of the assembly of participating workers. Shannon cautioned that this, by itself, would not guarantee success, but the pressure from lawsuits (and Earth First! led direct actions), might put enough pressure on Maxxam to agree to a

⁴⁸ "P-L Workers Dream of Ownership, But Some Worry about Risking Jobs", by Marie Gravelle, *Eureka Times-Standard*, September 15, 1988.

⁴⁹ Pedersen, September 16, 1988, op. cit.

⁵⁰ Gravelle, September 15, 1988, op. cit.

⁵¹ Pedersen, September 16, 1988, op. cit.

⁵² Gravelle, September 15, 1988, op. cit.

⁵³ Pedersen, September 16, 1988, op. cit.

⁵⁴ Gravelle, September 15, 1988, op. cit.

⁵⁵ Pedersen, September 16, 1988, op. cit.

⁵⁶ Gravelle, September 10, 1988, op. cit.

deal.⁵⁷ If a sale did occur, money for the purchase of the company would have to come from bank loans and donations from the community, including environmentalists.⁵⁸

* * * * *

There were other criticisms of Shannon from sources other than Maxxam, and not all of them were devoid of merit. He had claimed that at San Francisco Yellow Cab he had helped the workers establish an ESOP and turn the company around so that, by 1988, it paid out \$20,000 in annual per capita dividends.⁵⁹ Although Yellow Cab had successfully transformed itself thusly in 1977, in truth, Shannon had merely *suggested* the ESOP idea on San Francisco's primary AM talk radio station, KGO and the Yellow Cab *workers* had made it happen. Shannon personally had an ideological aversion to labor unions, having opposed a union organizing drive there.⁶⁰ The employees organized and borrowed money from the Teamsters anyway to eventually purchase the San Francisco franchise. James Steel, the operations manager who had provided much of the *actual* leadership in the campaign ruefully reflected that Shannon's role in the entire affair was mostly talk. "Let me tell you right off: the man is a bullshit artist. He did a lot of talking, but that's about it."⁶¹

The Corporate Press also impugned Shannon's reputation. For example, on September 9, the *San Francisco Chronicle* published an exposé of Sunray, pointing out that Shannon's own particular ESOP company had filed for bankruptcy two years previously, and showed debts of \$281,089. As a result, the company had been forced to lay off two-thirds of its employees.⁶² The *Chronicle* also detailed Shannon's attempts to enact a similar employee buyout plan for the San Francisco Giants in 1985 that went nowhere, because the owners refused to sell the team.⁶³ John Campbell seized upon Sunray's bankruptcy as well as a report of \$3,000 in as yet unpaid parking citations as proof of Shannon's lack of fitness to replace him—forgetting, of course, that Shannon would have no role in an ESOP at Pacific Lumber—declaring, "does that sound like a person who can run a billion dollar company?"⁶⁴ The irony in the critics' statements was that the *Chronicle* had also run an *L. A. Times* wire story on the *same day*, on the *same page* of its business section about the impending indictments of Drexel Burnham

⁵⁷ Shannon, September 1988, op. cit.

⁵⁸ Gravelle, September 3, 1988, op. cit.

⁵⁹ Gravelle, September 3, 1988, op. cit.

⁶⁰ "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, 1998, Guilford Press, New York, NY and London. , 257-58. (Bari had a particularly negative opinion of Patrick Shannon and referred to him as "a charlatan" Darryl Cherney echoed these sentiments in an interview dated September 2, 2009).

⁶¹ Harris, 1995, op. cit., pages 264-65.

⁶² "An Ex-Cabbie's Scheme to Take Over Pac Lumber", by Jeff Peline, *San Francisco Chronicle*, September 9, 1988.

⁶³ Gravelle, September 10, 1988, op. cit.

⁶⁴ Pedersen, September 16, 1988, op. cit.

Lambert junk bond dealer Michael Milken who had assisted Hurwitz in taking over Pacific Lumber.⁶⁵

Stockbrokers also questioned the ESOP idea, generally displaying a bias towards conventional business models. Clark Bowen of Shearson Leman Brothers in Eureka, who had three years earlier accused Hurwitz of greenmail, expressed skepticism over the new proposal as well. Bowen doubted that the profit minded Hurwitz would agree to resell the company for \$834 million, and this was a valid concern. Given Hurwitz's past practices, he could ask for much more money, perhaps as much as double that amount. However, Bowen also issued some fairly dubious arguments about the ESOP concept in general saying,

"The idea has a lot of romantic appeal. Everyone thinks it's wonderful...I think we all would love to see P-L as it was. I don't think too many people would object to going back to a sustained cutter and an apparently locally owned company. (The ESOP promoters) think (they'll) all have more incentive, be more profitable, more efficient. But unless you have good management in place to rally the workers and keep them in focus, you'll have problems."⁶⁶

Patrick Shannon responded to these dismissals by invoking Avis and North American Rayon as other successful ESOP attempts.⁶⁷ The idea of a timber industry ESOP was not even especially unusual. In 1985, the workers at Omak Wood Products in Omak, Washington, successfully used an ESOP to purchase the company's plywood mill and timberlands after Sir James Goldsmith, a corporate raider not unlike Charles Hurwitz, had acquired that company in a takeover of Crown- Zellerbach Corporation earlier that year. Closer to home, employees at Eel River Sawmills were discussing the possibility of an ESOP with the company's management who were at least open to the suggestion.⁶⁸

Another anonymous local broker questioned the economies of scale, opining:

"Something like a mom and pop operation with 60 or 100 employees might work, but when you get into a giant corporation like PL, I don't think employee ownership is viable. When you take ownership and put it in the hands of the employees, you're removing all the top talent. If you take over in a hostile manner, top management is out. People have to run the operation and have to do the work. They don't have the talent to do both."⁶⁹

⁶⁵ "Drexel Indictments Likely Soon", *Los Angeles Times Wire, San Francisco Chronicle*, September 9, 1988.

⁶⁶ "Brokers Skeptical of Takeover Plan", by Marie Gravelle, *Eureka Times-Standard*, September 29, 1988.

⁶⁷ Gravelle, September 15, 1988, op. cit.

⁶⁸ "Lumber Mills Go ESOP", *Takeback*, Volume 1, #1. February 1989.

⁶⁹ Gravelle, September 29, 1988, op. cit.

The ESOP supporters anticipated the possibility that the idea would be dismissed, perhaps even as a form of “communism”, which was a typical response to unorthodox ideas whether or not they had even the remotest connection to those of Marx and Engels (or Rocker and Kropotkin, for that matter).⁷⁰ For the most part, Patrick Shannon’s selling points were primarily focused on business sense and were solidly *capitalistic*, rather than stemming from a lofty sense of idealism. In Shannon’s mind, rank and file workers had no stake in the company unless they had a sense of ownership. Additionally, due to the increasing cost of living, workers needed a second source of income, generated by capital ownership or stock dividends to supplement their wages.⁷¹ Shannon wasn’t proposing the establishment of a workers cooperative. Ownership was not necessarily the same thing as management. ESOPs tended to hire management staff even though the ownership and profits were shared more horizontally than in a conventional business. In fact, there were several attempts to convince John Campbell to support the idea, perhaps in hopes that he might continue in his current management role under new ownership, but Campbell being a true believer in Maxxam, refused.⁷² Failing that, there were hints that the Murphys might also be able and willing to take control of the helm.⁷³

* * * * *

Meanwhile, Michael Milken’s empire was collapsing dramatically and some of the shockwaves of that very widespread collapse were being directly felt by those left in the wake of Maxxam’s own tide of takeovers and market manipulations. The largest manifestation of Milken’s implosion was the failure of the Federal Savings and Loan Insurance Corporation (FSLIC), which was well underway, although its course had been woven in the woof. As he had with the timber industry and so many others, President Reagan had deregulated the savings and loans industry. The resulting availability of easily accessible unregulated but *federally insured* capital drew speculators such as Milken like flies to lemonade. The junk bond dealer was able to convince a number of speculators to invest in an entire network of S&Ls, including the one owned by Hurwitz, USAT. When the speculators had done their damage and the vultures had picked the corpses clean in what amounted to a government sponsored shell game, the investors were left holding the bag and American taxpayers responsible for bailing out billions of dollars. Maxxam’s takeover of Pacific Lumber had been deeply intertwined in this much greater scandal.⁷⁴

⁷⁰ “The Prognosis”, by Bob Martel, *Country Activist*, September 1988.

⁷¹ Shannon, September 1988, op. cit.

⁷² “PALCO Workers Attend Meeting; Campbell Says, ‘No Sale’”, *Humboldt Beacon and Fortuna Advance*, October 4, 1988.

⁷³ “Great Grandson of P-L Founder Likes Employee Ownership Plan”, by Marie Gravelle, *Eureka Times-Standard*, September 25, 1988. The headline of the article is inaccurate. Warren was, in fact, Simon J. Murphy’s great-GREAT-grandson and his ancestor was not PL’s founder.

⁷⁴ Harris, op. cit., pages 241-42.

Between 1985-88, Under the auspices of USAT, Maxxam purchased \$1.8 billion in junk bonds from DBL, \$400 million of which were used to purchase Pacific Lumber in October 1985. The Federal Deposit Insurance Corporation (FDIC) and Office of Thrift Supervision (OTS), both federal banking regulatory agencies, informed the UFG, yet *another* Maxxam holding company, that it and its officers were liable for breach of fiduciary duty for wrongfully failing to maintain the net worth of the failed savings and loan. The FDIC additionally alleged, in that exchange for financial assistance from DBL, Hurwitz used USAT to aid Milken's schemes to manipulate the junk bond market. The FDIC also accused UFG of wrongfully causing USAT to pay dividends to UFG.⁷⁵

According to Maxxam, "USAT's decline (could) be attributed to a decline in the Texas real estate market," but in all likelihood the actual cause of the savings and loan's failure had everything to do with Maxxam's involvement in Michael Milken's junk bond schemes. The failure of the savings and loan company cost the taxpayers \$1.6 billion, making it the third most expensive such bailout in history, but Hurwitz paid not one dime of that sum.⁷⁶ At the time of USAT's failure, Maxxam owned approximately 22 percent of USAT and 28 percent of United Financial Group (UFG), the thrift's holding company. Meanwhile, DBL controlled approximately 10 percent. Unfortunately, since the FSLIC laws stipulated that the minimum threshold required to hold any party financially responsible for the financial cost of a bailout was 25 percent, Hurwitz and DBL had weaseled out of yet another dragnet in the complex world of finance capital. Tracing the actual route of the money was nearly impossible, and it was especially galling that a roughly similar amount of USAT "capital" had been used in Maxxam's takeover of Kaiser.⁷⁷

Campbell, who was so quick to dismiss Patrick Shannon as a con man, had no comment about *Hurwitz's* business acumen, however. Indeed, in the wake of the FDIC's and OTS's failure to secure a conviction of the Maxxam CEO, Campbell declared:

"Absolutely (cleared) Mr. Hurwitz of any wrongdoing in connection with possible irregularities surrounding stock ownership at the time of the takeover, eliminating the possibility that Hurwitz might be inclined to sell...They've done the investigations at the Congressional hearings, they found no wrongdoing (by Hurwitz)—only (Drexel Burnham Lambert, Inc) was implicated."⁷⁸

Shannon was *not* silent about *his* supposed failings, however. He explained that Sunray's bankruptcy filing had been under Chapter 11, as opposed to Chapter 7,

⁷⁵ "Ravaging the Redwood: Charles Hurwitz, Michael Milken, and the Costs of Greed", by Ned Daly, *Multinational Monitor*, September 1994.

⁷⁶ From www.jailhurwitz.com, by Darryl Cherney, 1999.

⁷⁷ Harris, *op. cit.*, pages 241-42.

⁷⁸ Pedersen, September 16, 1988, *op. cit.*

the latter of which actually meant that the company could not pay its creditors. He further explained that the filing was necessitated by the company's lender's malfeasance, not their own. Delta Pacific Bank and its parent, Central Bank, had loaned the ESOP the money but was later closed down by government regulators after the financial institution had unexpectedly demanded loan repayments from various clients including Sunray. Shannon accused both banks of racketeering and fraud. As for the citations, these had resulted from overweight truckload tickets (which were common among freight truckers), not parking violations.⁷⁹

There *were* legitimate economic questions and doubts raised by those inclined to support the ESOP. Even if the employees successfully managed to purchase Pacific Lumber, they could not expect to maintain the accelerated pace of work, including 60-hour workweeks, and existing expanded workforce of approximately 1300 regular employees. Sooner or later, there would have to be a return to shorter workweeks and layoffs.⁸⁰ Shannon acknowledged that this was a problem and—echoing earlier suggestions made by Kent Driesbock and John Maurer—proposed diversification of the company's economic activities.⁸¹ For instance, the employees of Pacific Lumber could invest some money and resources into enterprises that generated revenue without reliance on the current accelerated timber production schedule. One of these ideas was a logging museum geared to tourists.⁸² Another idea—that had also been suggested by Maurer—was the creation of a P-L furniture company, to handle finished wood products. John Campbell, however, belittled this idea as well, arguing that freight costs in Humboldt County would rule out such a possibility—citing no substantive figures or carefully conducted studies to prove it, of course.⁸³

* * * * *

At first glance, it seemed that many Pacific Lumber workers opposed the ESOP concept, or at least Maxxam wanted people to believe this. On September 9, the *Eureka Times-Standard* ran a full-page advertisement complete with a graphic which read,

“To the people and business community of Humboldt County: We thought you would want to know, we are tired of the radicals and the flakes.

“We Do Not Need (sic) Earth First - (sic) to help us!

“We Do Not need (sic) the Sierra Club- (sic) to help us!

“We Do Not Need (sic) Patrick Shannon and Bill Bertain - (sic) to help us!

“We need to be left alone to do our jobs and enjoy this wonderful county.

“Paid for by the Local Employees of the Pacific Lumber Company.”

⁷⁹ Pedersen, September 16, 1988, op. cit.

⁸⁰ Martel, September 1988, op. cit.

⁸¹ Gravelle, September 3, 1988, op. cit.

⁸² Shannon, September 1988, op. cit.

⁸³ Pedersen, September 16, 1988, op. cit.

While the ESOP campaign earned the cautious support of the Sierra Club and even a handful of Earth First!ers, such as Darryl Cherney, it was certainly not *organized* by them, let alone Bill Bertain. Evidently there was somebody other than a group of P-L employees behind the advertisement and it showed. Supporters of the ESOP campaign saw the ad as yet another attempt by Maxxam, WECARE, TEAM, and other Corporate Timber interests to quell dissent.⁸⁴ One anonymous ESOP supporter, very likely one of the P-L workers, created their own version of the advertisement with the word “enjoy” crossed off and replaced with “destroy” and the words “Local Employees” replaced with “The Owners”, which was a logical deduction of the advertisement’s *true* source. Nevertheless, John Campbell declared, “I’m hearing that the majority of the employees are against (the ESOP).”⁸⁵

It was difficult to gauge just how much support the idea had. One worker, speaking anonymously to *Eureka Times-Standard* reporter Marie Gravelle declared, “people I have talked to aren’t too enthused and would be real hesitant to put money into it...the plan sounds good on paper, but in reality it wouldn’t ever take place,” though he cited his personal reason for not supporting the plan as not having the money for it. Yet, Patrick Shannon claimed that that anywhere from 40 to 50 P-L employees attended the subsequent weekly meetings in Hydesville.⁸⁶ He also claimed that 115 P-L employees had signed up to be organizers for the campaign and would likely convince a greater number to attend an upcoming meeting at the Eureka Inn to be held on September 28, 1988.⁸⁷ He also noted that as many as 80 had already established \$500 savings accounts.⁸⁸

Part of the mystery stemmed from the very real fear among the supporters that they might be open to retaliation should they openly reveal themselves, though they were not hesitant to speak anonymously, which was an indication that the idea did have support. “It’s the talk of the town,” said one unnamed employee. Another, a millworker, declared, “I can’t stop thinking about it. We sit around the living room and talk about buying the Pacific Lumber Company,” he refused to give his name, however. The motivations to buy the company included ecological concerns, even if those expressing them weren’t about to join Earth First!. “We’re raping our forests. What kind of heritage do we leave our children?” asked an unidentified woman who worked for the company. Still one more unnamed millworker stated, “I don’t agree with the trees spiking or anything (that radical environmentalists condone), but without the trees there are no jobs.”⁸⁹ John Campbell had said that the employees were free to do what they wanted on their own time, “provided that it (didn’t) interfere with what

⁸⁴ Martel, September 1988, op. cit.

⁸⁵ Pedersen, September 16, 1988, op. cit.

⁸⁶ Gravelle, September 10, 1988, op. cit.

⁸⁷ Gravelle, September 3, 1988, op. cit.

⁸⁸ “Momentum Builds for Worker Buyout”, *EcoNews*, October 1988.

⁸⁹ Gravelle, September 15, 1988, op. cit.

(they were) expected to do.”⁹⁰ The anonymous workers evidently felt that Campbell was lying, however, and for the time being remained incognito.

Pete Kayes was one exception to this group of anonymous workers. He explained, “Some are afraid to even come to the meetings,” but added that *he* was unafraid to speak out because he believed Shannon was sincere and that the urgency of the long term situation on a large scale overruled any potential short term personal consequences. Kayes agreed that PL’s current harvesting and production rates were unsustainable, stating, “It’s incredible the amount of wood that’s being cut. They’re selling logs for export; they’re selling logs to other mills. It’s gluttony.”⁹¹ Lester Reynolds explained his support saying:

“I have worked for P-L for over 30 years. Over those years I have been proud to talk to anyone about PL, but this changed three years ago. I find myself more negative than positive when discussing the company. There are so many questions left unanswered...

“If Maxxam has sold everything except the sawmills, the town (Scotia), and the timberland, how much of that money was spent on the debt? I don’t like what I am hearing from the loggers about the vast amount of trees being cut and the many logs that are being sold. In addition to the finished lumber being sold from the three mills, how much of this money is being paid toward the principle of the takeover debt? Or is it just paying the huge interest payments and the rest being set aside to take over Kaiser?...

“By now I think everyone has heard about the ESOP program. Most of the employees are interested. Some are against it. Some are just riding the storm out. And there are those that are discouraging it. I attended the first two ESOP meetings with Patrick Shannon. I like the ESOP program. I opened my savings account. But don’t take my word for it—or anyone else’s. Attend a meeting and decide for yourself.”⁹²

John Maurer also signaled his support for the campaign, stating:

“...There is an excellent chance that we can reverse the takeover and repair the damage done to the company. Due to lawsuits and ongoing federal investigations, Mr. Hurwitz will feel growing pressure to sell Pacific Lumber. I hope that he will follow the example of Sir James Goldsmith and look favorably on the employees’ purchase offer...”⁹³

⁹⁰ “Stockholders Sue Maxxam, Old Trees Still Face Ax”, by Andy Alm, *EcoNews*, November 1988.

⁹¹ Gravelle, September 15, 1988, op. cit.

⁹² “PL Questions Need Answering”, letter to the editor by Lester Reynolds, *Humboldt Beacon and Fortuna Advance*, September 23, 1988.

⁹³ “1989: Time for the Takeback”, by John Maurer, *Takeback*, Volume 1, #1. February 1989.

Supporters in the activist community were initially skeptical that the campaign could mobilize enough workers, partially because the sheer workload being experienced by P-L employees at the time, 60-hours per week on average, left little time for extracurricular activity. To expect more than ten percent of the workers to participate other than on paper seemed optimistic.⁹⁴ That this many workers from a company that had never had a union contract were willing to speak at all was in itself a significant development.⁹⁵ Pete Kayes offered, “It doesn’t matter whether it works or not. The attempt is what matters.”⁹⁶

The ESOP campaign got a huge boost when Warren Murphy publically declared his support for it. Upon hearing of the efforts, he stated, “I think it’s a great idea. I think it would be the only remaining way to get the company back in the hands of people that would really care.” He noted that he and his siblings had considered an ESOP when they attempted their own ill-fated leveraged buyout three years previously but lacked sufficient knowledge to make it happen. Murphy also sounded a note of caution, however, declaring:

“The question now is with what Hurwitz and Maxxam has done, can the ESOP take it and support the debt and at the same time return it to the original sustained yield harvest level? It makes no sense to finance a takeover [yourself] if you realize you have to keep on cutting three times the former level. We will cut our own throat.”⁹⁷

Warren Murphy also declined to join in the campaign until he was certain that the financial figures demonstrated the viability of the idea, but he *did* pledge to attend the upcoming meeting at the Eureka Inn. In response, Shannon declared, “He was very popular at P-L. I’m very pleased to have the endorsement, but I’m not satisfied until I see him coming home to be an employee of the new P-L.”⁹⁸

Anticipation for the meeting in Eureka grew as the date of the event drew near. Around the Pacific Lumber mills in Scotia, Carlotta, Fortuna, and elsewhere, workers supportive of the campaign began sporting green baseball caps with “ESOP” embossed on them in white letters, while diamond shaped signs began appearing in the windows of the homes and businesses of supporters. Demonstrating that the ESOP organizers more or less supported the unnamed broker’s concept of “top talent”, Patrick Shannon scheduled meetings with former P-L executives in hopes they might endorse the plan.⁹⁹ He also met with retired company executives, wealthy financiers, bankers, lawyers, lawmakers, and environmentalists sympathetic to the idea.¹⁰⁰

⁹⁴ Martel, September 1988, op. cit.

⁹⁵ Bevington, 1998, op cit.

⁹⁶ Gravelle, September 15, 1988, op. cit.

⁹⁷ Gravelle, September 25, 1988, op. cit.

⁹⁸ Gravelle, September 25, 1988, op. cit.

⁹⁹ Pedersen, September 16, 1988, op. cit.

¹⁰⁰ Shannon, September 1988, op. cit.

On September 14, the wife of a P-L employee even contacted John Campbell by phone, anonymously, requesting that the executive attend a meeting with Patrick Shannon on September 21. Campbell reiterated that the company “was not for sale” and steadfastly refused the invitation, explaining to the *Humboldt Beacon and Fortuna Advance* who reported the attempted contact, “I don’t respond to anonymous phone calls.” He also claimed that one week was too short notice for him in any event. The unidentified woman explained that her attempt was genuine in hopes that she could convince Campbell to change his position on the matter adding, “We will try a petition to let him know that we’re really interested in talking to him. We’re for slowed down (timber production). We need the money Hurwitz puts outside the state in Humboldt County...you know they’d spend it here if they got the dividends.” Despite Campbell’s refusal to attend, Patrick Shannon indicated that he felt the tide was turning in favor of the ESOP.¹⁰¹ Indeed, it seemed to be, enough to prompt Charles Hurwitz to write a letter to the employees (dated September 15) opposing the campaign. In it he stated, “We trust that our employees will not be misled into investing their money and or time in an endeavor which has no merit and cannot succeed.”¹⁰²

* * * * *

Shannon’s faith was justified. On September 28, 1988, over 400 people many of them wearing ESOP hats, filled the banquet room at the Eureka Inn to support and participate in the campaign.¹⁰³ There were many community supporters present as well, including Darryl Cherney, at the blessing of the campaign’s organizers.¹⁰⁴ Although he did not actually attend the meeting, John Campbell dismissively claimed that “a lot of the participants at the meeting were just curiosity seekers, not employees...there are some employees for it, but a great deal are against it...I hope they don’t get misled.”¹⁰⁵ According to the *Eureka Times-Standard*, however, most of the assembled crowd were employees and their families, perhaps as many as one quarter of the entire 1,300 strong P-L workforce in Humboldt County, and many of them, including particularly Steve Bishop and Dave Victorine, were not afraid to declare their support in front of TV cameras and reporters either. Wendy Dokweiler, the wife of another worker declared, “This is something we’ve needed since the takeover. Sure we’re getting a paycheck now, but when does it stop? The people in Texas don’t give a damn about our children. We want to be able to call the shots.” The workers present indicated that they were either concerned about their own long term futures, that of the forest’s or both. Warren Murphy also attended and now sounded much more encouraging tones—after having

¹⁰¹ Pedersen, September 16, 1988, op. cit.

¹⁰² Gravelle, September 25, 1988, op. cit.

¹⁰³ “ESOP Update”, *Takeback*, Volume 1, #1. February 1989; and “P-L Buyout Support Growing; 350 Workers at Informational Eureka Meeting”, by Marie Gravelle, *Eureka Times-Standard*, September 29, 1988.

¹⁰⁴ Interview with Darryl Cherney, October 9, 2009.

¹⁰⁵ “PALCO Workers Attend Meeting; Campbell Says, ‘No Sale’”, *Humboldt Beacon and Fortuna Advance*, October 4, 1988.

talked to many still current employees about the idea—declaring, “A lot of them are interested. They’ve got a tough road to hoe, but I think it’s possible.”¹⁰⁶ Certainly Campbell’s dismissive assessment did not reflect the actual mood in the hall.¹⁰⁷

Shannon convened the meeting with a prayer and the Pledge of Allegiance, demonstrating that the assembled group was not just a fantasy concocted by “unwashed-out-of-town-jobless-hippies-on-drugs”. Emphasizing the point Shannon reminded everyone that the campaign was anything but a game. He repeated the selling points as well as the responsibilities of an ESOP, including pride in ownership, return on their investment, as well as various financial and tax incentives. Even though Maxxam continued to insist that the company wasn’t for sale, Shannon told the workers that they had a right to at least make an offer and that the time had come to do so because of the still existing legal scrutiny over Maxxam. Assisting Shannon was an attorney named Bruce Shine, general counsel for the United Textile Workers of America.¹⁰⁸ In the past, Shine had helped that union to become the first ever to participate in an ESOP.¹⁰⁹ At one point, the lawyer declared, “It’s not a sugar-fairy tale—you have to work, and care about Scotia and Humboldt County more than any other company.”¹¹⁰ Shannon added, “When the timber’s gone and your job is gone, it’ll also destroy the local economy. The only people who really care about P-L are you people.”¹¹¹

Although these were cautious notes, the crowd was still inspired and proceeded to nominate an ESOP coordinating committee. Shannon indicated that P-L employees Mitch Wagner and Bill Hunsaker had already volunteered to serve. The floor was then opened up for additional nominations, wherein fourteen more were chosen, consisting of Pete Kayes, Jack Thompsen, Larry Barrotte, Ken Dokweiler, Ron E. Smith, Dave Victorine, Joe Timmerman, Kevin Morris, Lester Reynolds, Guy Lamb, Bob Younger, Grant Bishop, John Hamilton, and Kelly Bettiga.¹¹² Many of them—though not all—had been among the 500 who had signed the original advertisement opposing the Maxxam takeover in the first place.¹¹³ Workers’ dissent was very much still evident at Pacific Lumber.

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In many ways the ESOP campaign resembled a traditional union organizing drive, with a similar effort to secure pledges of support for the campaign from a majority of

¹⁰⁶ Gravelle, September 29, 1988, op. cit.

¹⁰⁷ “PALCO Workers Attend Meeting; Campbell Says, ‘No Sale’”, *Humboldt Beacon and Fortuna Advance*, October 4, 1988.

¹⁰⁸ Gravelle, September 29, 1988, op. cit.

¹⁰⁹ “Labor Board Says Employees Not Protected in Buyout”, *AP Wire, Ukiah Daily Journal*, September 3, 1989.

¹¹⁰ “PALCO Workers Attend Meeting; Campbell Says, ‘No Sale’”, *Humboldt Beacon and Fortuna Advance*, October 4, 1988.

¹¹¹ Gravelle, September 29, 1988, op. cit.

¹¹² “PALCO Workers Attend Meeting; Campbell Says, ‘No Sale’”, *Humboldt Beacon and Fortuna Advance*, October 4, 1988.

¹¹³ Paid advertisement, *Eureka Times-Standard*, November 17, 1985. Emphasis added.

the workers at PL, as well as the usual hesitations that come with the territory. The largest of these was the fear by the workers of management repression, thus explaining why originally many of them had refused to give their name in spite of their support for the idea. As ESOP committee co-chair Pete Kayes put it, "The vast majority of the employees support the concept of the ESOP. Of course there hasn't been an employee organization at P-L for forty years, so we're breaking new ground."¹¹⁴ Warren Murphy had hinted at this, declaring,

"It's a hard one. I know there are management techniques to discourage them. Those people could not only lose their jobs, but their home and everything. At this point you can't ask them to risk it. They've been through a lot. Everybody's had dreams that there could be some way to conquer Hurwitz, but it hasn't happened."¹¹⁵

The ESOP campaign apparently received the expected boost when, on October 23, 1988, Bill Bertain filed yet another class action lawsuit on behalf of eight P-L employees and shareholders against Charles Hurwitz, Maxxam, MCO, Pacific Lumber, DBL, Ivan Boesky, Michael Milken, Boyd Jefferies, Saloman Brothers, and many others involved in the merger. The plaintiffs included a few who served on the ESOP's executive committee, such as Kelly Bettiga.¹¹⁶ The suit was filed in both state and federal court, seeking over \$2.25 billion in damages, plus rescission and invalidation of the 1985 merger agreement. Bertain had forged an impressive litigation legal team of experts in securities law including Sachnoff Weaver & Rubenstein, Ltd., based in Chicago; Corinbilt & Seltzer, based in Los Angeles; Davis Barnhill & Galland and Lafollette & Sinyikin, both based in Madison, Wisconsin.¹¹⁷

The suit, called the largest securities fraud case *ever* by the SEC, alleged a complex illegal scheme, orchestrated by Hurwitz from the get-go involving stock parking and various other fraudulent activities designed to acquire P-L.¹¹⁸ It charged that thousands of former P-L public stockholders were misled and defrauded when the directors agreed to sell the company for 50 percent less than they knew it was worth.¹¹⁹ The suit also brought to light Milken's "hedging" his bets on the takeover by instructing Ivan Boesky to purchase additional stock.¹²⁰ Bertain charged that shares of PL's stock held by Boesky and DBL should have actually been attributed to Hurwitz, which would

¹¹⁴ "ESOP Update", *Takeback*, Volume 1, #1. February 1989.

¹¹⁵ Gravelle, September 25, 1988, op. cit.

¹¹⁶ "Eureka Lawyer Files Suit to Rescind P-L Takeover", by Marialyce Pedersen, *Humboldt Beacon and Fortuna Advance*, October 28, 1988.

¹¹⁷ "Lawsuits Challenge Maxxam Takeover", *Takeback*, Volume 1, #1. February 1989.

¹¹⁸ "Lawsuits Challenge Maxxam Takeover", *Takeback*, Volume 1, #1. February 1989.

¹¹⁹ "Was it a Scam?", *EcoNews*, March 1989.

¹²⁰ "Junk Bond Fraud: Maxxam in Hot Water Over P-L Takeover", by Andy Alm, *EcoNews*, October 1988.

have put him over the 5 percent ownership threshold, and would have required that he disclose his intent to the shareholders of the company thus triggering a vote.¹²¹

The case picked up the thread of a suit filed by another Pacific Lumber shareholder, Elmo Omicini, in February 1986, the day after Rio Dell had voted against invoking Article 10 of PL's Articles of Incorporation. Omicini had noted a small glaring detail that just about everybody else had missed in the final sale agreement. By agreeing to cede control over the employees' \$60 million pension fund in exchange for raising the purchase price from \$38.5 to \$40 per share, Hurwitz had actually *benefitted* financially earning an additional \$30 million.¹²² The suit also noted the fact that, in 1987 reports surfaced that Executive Life had been statutorily insolvent at least once that year.¹²³ "Hurwitz knew or should have known what was going on," declared Bertain upon the filing of his latest suit.¹²⁴

State Senator Barry Keene cited the suit as clear evidence that Maxxam's claims that it had Humboldt County's best interests at heart declared:

"(These revelations) make nonsense of Maxxam's insistence that the takeover deal proceeded on a rational and responsible basis, with the maintenance of our timber resources in mind...The price Maxxam was forced to pay—costing them perhaps an additional \$100 million—ballooned their debt beyond the already recklessly excessive levels contemplated in the original deal. Their only way out of the squeeze was to turn trees into cash and intensify overcutting of virgin redwoods.

"What it boils down to is jobs now, but now jobs later. Is this the heritage we want to pass on to our children and grandchildren? How can we allow that to happen and maintain our self respect?"¹²⁵

Yet, in spite of the lawsuits, there was enough pressure from Maxxam to keep just enough P-L workers in fear so that Shannon had difficulty convincing a majority of the workers to join the campaign. In an effort to win them over, on October 25, Patrick Shannon mailed a letter to the 1,300 P-L employees that included the following statements:

"Too many P-L employees are sitting on the fence. They think they are playing it safe. They say they will go with ESOP as soon as Maxxam agrees to sell. It doesn't work that way; that's killing our chances...Bosses, your participation in ESOP planning and creation is part of your job. You

¹²¹ Pedersen, October 28, 1988, op. cit.

¹²² "Another Suit Filed to Block P-L Takeover", *Eureka Times-Standard*, February 22, 1986.

¹²³ "P-L Pensions in Jeopardy", *Takeback*, Volume 1, #1. February 1989.

¹²⁴ "Stockholders Sue Maxxam, Old Trees Still Face Ax", by Andy Alm, *EcoNews*, November 1988.

¹²⁵ "Junk Bond Fraud: Maxxam in Hot Water Over P-L Takeover", by Andy Alm, *EcoNews*, October 1988.

owe it to P-L and you owe it to yourself. Any boss who is unwilling to work for ESOP and sustained yield is not worth his salt...

“To the extent that you hold back, we will work with environmentalists, other major timber companies, and other timber company employees. ESOP is your baby, but if you don’t care for it, the baby is up for adoption.”¹²⁶

In response to this letter, on November 1, an anonymous individual or group of individuals dumped a ton of unpackaged rock salt at the doorstep of the ESOP campaign office in Fortuna. Patrick Shannon feigned being unfazed however, and declared that the committee would respond by packaging the salt and selling it for several hundred dollars to raise funds for their continued efforts. Meanwhile, John Campbell issued a hasty public response distancing Pacific Lumber from the unknown perpetrators:

“It’s regrettable that Mr. Shannon’s recent desperate letter to our employees precipitated the actions of last night’s incident of the dumping of a quantity of salt on the doorstep of Shannon’s headquarters. We have said that his scheme is creating discord and is a disservice to all of Pacific’s people. We do not condone these actions and hope there will be no further incidents of this type...”¹²⁷

Yet, Campbell spared no opportunity to get in a cheap shot of his own, deliberately trying to associate the ESOP campaign leaders with Earth First!, and others Campbell pegged as being of like mind:

“I have had it with Earth First!, the Sierra Club, EPIC, and now Patrick Shannon. I would remind you, we as employees (sic) did not ask for their help. These ‘outside’ people chose to force their will on our company. They want a divided P-L family. They want discontent. They want employee against employee, friend against friend. That will help them achieve their goals...

“Here is a group (whose members) claim they want to represent the employees, yet threaten to break up the company by selling it to the radical or other companies unless everyone goes along with their dream, (but) this is no dream! This is a scheme and a shameful one at that. I seem to remember that this is America where an individual still has the right to choose his or her destiny, not to be threatened or coerced into something he or she may not wish to do.”¹²⁸

¹²⁶ “Pacific Lumber Company Responds to Salty Letter”, by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, November 11, 1988.

¹²⁷ Simmons, November 11, 1988, op. cit.

¹²⁸ Simmons, November 11, 1988, op. cit.

At this point, however, many of the workers involved in the ESOP campaign were frustrated enough with Maxxam that they were willing to overlook any of the supposed differences they had with Earth First!. In fact, it was the ESOP committee that had suggested that Earth First! organize the rally which Cherney transformed into the *Day of the Living Dead Hurwitzes* in the first place!¹²⁹

Shannon and the ESOP committee continued to mobilize community and financial support for the campaign. Over the course of the next few months, they organized several highly successful fundraisers and met with representatives of the General Electric Capital Corporation to form a potential partnership bid to purchase Pacific Lumber.¹³⁰ Shannon also hinted that Louis Kelso, an investment banker who had written the seminal book on ESOPs, *Democracy and Economic Power*, might also be amenable to a loan, but wished to keep silent on the matter publically.¹³¹ “We hope to have our purchase offer on Maxxam’s desk in sixty days,” declared Shannon.¹³² For a group of workers not familiar with such a business model, they were proving that they did indeed have the “talent” it took to at least spark interest and line up support.

The campaign was bolstered further in December by a pair of unrelated, but significant developments. On December 19, Judge William Ferrroggiaro declared, in ruling that would prove to have much greater significance a year later, in a 33 page decision, that the CDF had failed to properly consider measures proposed by the Department of Fish & Game to lessen the effect of wildlife of P-L’s logging and that under business as usual, the agency’s THP process had resulted in a “race to the chainsaw, the barricades, and the courthouse.”¹³³ It is no way to conduct the public’s business, nor is it a way to ensure economic stability, or certainty, to the owner-operator, and the business of timber production.”¹³⁴ Then, on the Winter Solstice, Drexel Burnham Lambert pled guilty to six felony counts of securities law violations and agreed to pay \$650 in fines and penalties. They also consented to sacrificing their chief architect, Michael Milken.¹³⁵

All of this would seem to have bolstered the ESOP campaign, but there was a fundamental problem. Shannon’s and Shine’s knowledge of labor law was limited, and his argument that workers of P-L organizing an ESOP was akin to their discussing wages, working conditions, and employee benefits was a largely untested theory.¹³⁶ For better or worse, Pete Kayes discovered much to his consternation that he was to set the precedent. Shortly after the anonymous salt deposit, Kayes’s section boss

¹²⁹ Crawdad Nelson, January 11, 1989, op. cit

¹³⁰ “ESOP Update”, *Takeback*, Volume 1, #1. February 1989.

¹³¹ “PALCO Workers Attend Meeting; Campbell Says, ‘No Sale’”, *Humboldt Beacon and Fortuna Advance*, October 4, 1988.

¹³² “Stockholders Sue Maxxam, Old Trees Still Face Ax”, by Andy Alm, *EcoNews*, November 1988.

¹³³ “False Start in Chainsaw Race”, by Carrie Pierce, *EcoNews*, January 1989.

¹³⁴ “PL Old Growth Cutting Halted”, UPI Wire, *Eureka Times-Standard*, December 20, 1988.

¹³⁵ “Lawsuits Challenge Maxxam Takeover”, *Takeback*, Volume 1, #1. February 1989.

¹³⁶ Shannon, September 1988, op. cit.

instructed his fellow maintenance workers not to discuss the ESOP campaign with the dissident blacksmith any further. A handful of them in defiance of this directive dialoged with Kayes anyway, and informed him that they would not be cowed into silence, but after that moment, the number of fellow P-L workers that had been in regular communication with him began to dwindle over the course of the month. Following that, P-L ceased granting Kayes the periodic automatic cost of living increases typically given to all of the company employees that Hurwitz had pledged not to alter upon his takeover of the company. Firmly believing that this constituted retaliation against his leadership in the campaign, Kayes filed an Unfair Labor Practice (ULP) charge with the NLRB.¹³⁷ Bob Younger, who had a similar experience, soon joined him. Had they known what they were up against, they might have had second thoughts.

¹³⁷ Harris, 1995, op. cit., pages 264-65.

13. They're Closing Down the Mill in Potter Valley

"A year before (the closure) was announced, they told us we'd work ten more years...if they hadn't gone to two shifts five years ago, we could've gone twice as long."

—Ray Smith, 14 year L-P employee commenting on the closing of the Potter Valley Mill.

"Harry Merlo, L-P's president, makes a million dollars a year in salary and fringes. Forty-five Potter Valley mill jobs at \$20,000 per year out of Merlo's annual booty would still leave Harry a hundred grand a year.

—Bruce Anderson, *Anderson Valley Advertiser*, December 28, 1989

*"Now Ray says there's timber back there, They'll haul it right past town,
Sam says the only way they'll reopen, Is if another mill burns down,
The company says it's environmentalists, Crampin' up their style,
But as I look out on the Mendocino Forest, I can't see a tree for miles..."*

—Potter Valley Mill, lyrics by Darryl Cherney and Judi Bari, January 1989.

The ideological battle being waged between Corporate Timber and the environmentalists continued. Although the Louisiana Pacific workers had been largely silent since the unions had been busted three years previously, they were about to be shocked out of their malaise. Despite announcing record company quarterly earnings of \$51.5 million at \$1.34 per share (in contrast with \$36.8 million at \$0.97 the previous year)¹ L-P announced, on November 28, 1988, that they would be closing their lumber mill in Potter Valley in Mendocino County, which had been in operation for fifty years and employed 132 full-time employees, the following spring. L-P's Western Division manager, Joe Wheeler admitted that the timing of the announcements, just before the Christmas holiday season, was "especially difficult", but felt it was necessary so the workers would not "extend themselves financially through the holiday season."²

Rumors of the closing had been circulating for some time. The company confirmed them in their usual fashion. As they had prior to the temporary mill closures in the

¹ "LP Reports record Company Earnings", *North Coast News*, October 19, 1988.

² "Potter Valley L-P Mill to Close", by Suzi Brakken, *Ukiah Daily Journal*, November 29, 1988; and "LP to Close Potter valley Mill", By Suzi Brakken, *Mendocino Beacon*, December 1, 1989.

earlier part of the decade, L-P management bought the workers donuts. “For the past 15 years it was the same rumor. ‘Here come the donuts,’ the workers would say, expecting the worst, but it was usually a (temporary) layoff,” declared Linda Smith, whose husband, Ray, worked as a saw-filer in the mill. Indeed, many initially thought that the latest layoff would be no different, but this time they were mistaken.

“It hurt,” said Ray Smith, “There’s no mill like Potter Valley. Everyone was close there. We were like a family. It was like when you graduate and boom...all your friends are just gone.”³

The company offered the workers scheduled to be laid off jobs in their other facilities, but did not guarantee they’d actually be hired. Nevertheless, Shep Tucker, L-P’s spokesman for Humboldt County, opined, “With five months to go before the closure, it’s a definite advantage for the workers.” The workers themselves and the residents of Potter Valley, many of whom worked for or owned small businesses that economically depended on the existence of the mill, were not so optimistic. They agreed that a lucky few might be able to secure positions in nearby L-P facilities, such as in Cloverdale or Willits, but many who sought continued employment with the company would have to move away from the North Coast or even out of the state.⁴ Even if they were fortunate enough to remain in the area, they would have to start at the bottom of the ladder again. “It’s depressing to go from a day job to a night job making \$2 hour less,” declared Ray Smith.⁵ The owners of the dependent businesses faced an even worse plight. The economic impact on Mendocino County would include a \$5 million payroll loss and an estimated loss of \$145,000 in property taxes besides. None of these figures boded well for the already financially strapped timber dependent county.⁶

L-P quickly identified a convenient scapegoat for the closings: unwashed-out-of-town-jobless-hippies-on-drugs (as usual). The company spokespeople blamed the closings on a dwindling log supply, US Forest Service timber cutting regulations, and environmentalist inspired lawsuits involving fire salvage operations.⁷ Additionally, L-P spokeswoman Glennys Simmons blamed set asides for spotted owls, citing her erroneous belief that spotted owl protections required 2,600 acres of forestland for each pair of owls, but in fact, the actual amount required was 1,000. These charges were echoed and played up in the media by Doug Bosco, who stated, “When we can’t even salvage fire damaged timber, then I feel the environmentalists do have to take some of the responsibility for the 132 people who will be out of work in Potter Valley.”⁸

³ “Donuts Were a Tell-tale Sign of Closure”, by Suzi Brakken, *Ukiah Daily Journal*, April 24, 1989.

⁴ “Potter Valley’s Fear: Is L-P Closure the Beginning of the End?”, by Mike Geniella, *Santa Rosa Press Democrat*, December 4, 1988.

⁵ Brakken, April 24, 1989, op. cit.

⁶ Geniella, December 4, 1988, op. cit.

⁷ “LP to Close Two Mills, Blames Environmentalists”, staff report, *North Coast News*, December 15, 1988.

⁸ “Bosco Blames Lawsuits for Mill’s Closure”, by Randy Foster, *Ukiah Daily Journal*, December 1, 1988.

Congressman Bosco had also resurrected the oft repeated (but false) argument that most of the old growth timber was protected in parks and protected wilderness areas.⁹

Local media jumped into the fray and excoriated the environmental movement for its insensitivity to timber workers' livelihoods.¹⁰

As if these statements weren't bad enough, the right wing majority on the Mendocino County Board of Supervisors practically had an orgy of fascistic daydreaming at the environmentalists expense. On December 6, 1988, at their monthly meeting, Jim Eddie proposed converting the soon-to-be shuttered mill into a work camp for prisoners in the overcrowded Mendocino County Jail. In one of his last acts before the expiration of his term, John Cimolino proposed sending the county's welfare recipients there. Marilyn Butcher pulled no punches by stating, "¹¹ Norm DeVall, the lone member of the board not solidly aligned with Corporate Timber sounded the voice of reason, reminding the others that he, and many environmentalists had offered to clean up and replant after forest fires the previous year, but their offers had been denied, but were still open. This seemed to calm the others down, at least, and they decided to refer L-P's announcement to the county's Private Industry Council."¹²

The environmentalists countered that L-P was lying and they provided substantial evidence that proved it. Earth First!ers Betty Ball and Don Morris quickly debunked L-P's claim on lawsuits, pointing out that only three lawsuits had been filed challenging the company's salvage logging plans, and *none* of them had held up the bidding process. The total number of challenges to the approximately 400,000 acre total included in all L-P logging plans for the county affected a mere 800 acres of timberland. Sierra Club forest practices taskforce chair Gail Lucas buoyed Ball's and Morris's figures and added:

"The problems the timber companies are facing now are not caused by environmentalists, or the U.S. Forest Service, or anyone else, but their own overcutting in the past...U.S. Forest Service policies in the national forests do not allow cutting beyond a sustained yield level...The timber companies are looking at a declining timber supply now as a result of twenty years of overcutting in the 1950s and '60s, when the average annual cut on private lands in Mendocino County was double the average growth."¹³

⁹ "LP Lies About Potter Valley Mill", by Ryan Henson, *Anderson Valley Advertiser*, February 8, 1989.

¹⁰ "Mill Closure Unnecessary Devastation", editorial, *Ukiah Daily Journal*, December 4, 1988.

¹¹ "Supervisors Suggest Turning L-P Mill into Work Camp", staff report, *North Coast News*, December 15, 1988. In fact, Earth First! *did* engage in tree planting, and the only reason why the timber industry replanted trees after logging, was due to long term pressure from environmentalists to make such practices mandatory, which the timber industry had stubbornly resisted. For details see, "To the People of the Northwest", by Darryl Cherney and Judi Bari, *Anderson Valley Advertiser*, May 31, 1989, *Country Activist*, June 1990, and *Mendocino Commentary*, June 8, 1989.

¹² "Supervisors Suggest Turning L-P Mill into Work Camp", staff report, *North Coast News*, December 15, 1988.

¹³ "LP to Close Two Mills, Blames Environmentalists", staff report, *North Coast News*, December 15, 1988.

These statements were backed up by the staff of the Mendocino National Forest who confirmed that there were no lawsuits pending, and that all appeals filed by environmentalists had been denied, though they also stated that the information being circulated by environmentalists was prompting them to reconsider their thinking.¹⁴ L-P, however, had very little old growth left to speak of, and a lawsuit against fire sales or salvage logging in the current context simply made no sense. Just as P-L had done earlier in the year, in response to CDF director Jerry Partain blocking a mere *three* THPs out of 530, L-P was crying “wolf!”

For their part, Earth First!ers were quite prepared to fight to keep the mill from closing, knowing full well that the closure of one mill wouldn’t even put a dent in L-P’s continued rapacious destruction. Darryl Cherney publically reached out to the affected mill workers, stating:

“I just took a part-time job working for a logging outfit so that I could understand the timber industry better. The mere fact that that L-P has to close its mills proves that it is not operating on a sustained yield basis, which is just as much anti-labor as it is anti-environment. I would encourage workers to walk L-P’s timberlands to see where their jobs have gone. Earth First!ers are as affected by the economy as L-P workers; and we’re extremely concerned about it. Who isn’t?”¹⁵

LP hadn’t dropped their final bombshell however. On December 10, 1988, L-P announced the closure of *another* mill in Red Bluff (Tehama County), which employed nearly 100.¹⁶ Joe Wheeler promised that *this* mill would not be dismantled and could be reopened at some future date.¹⁷ Shep Tucker publically agreed that there were no more North Coast mill closures “on the horizon”, but, considering the permanent closure of the mill in Potter Valley, these were not particularly reassuring announcements.¹⁸

¹⁴ Hensen, February 8, 1989, op. cit.

¹⁵ “Forgive Us Our Trespass: Earth First! Blames Cut and Run Logging for the Potter Valley Mill Closure” by Darryl Cherney, *Anderson Valley Advertiser*, December 14, 1988, *Mendocino Commentary*, December 15, 1988, and the *Country Activist*, December, 1988. The *Earth First! Journal* editors in Arizona were evidently not as concerned about the plight of the timber workers, however, opining, “Environmentalists do occasionally win...showing great modesty, environmentalists have denied that they are responsible for the mill closure,” in “LP Blames Environmentalists for Mill Closure”, staff report, *Earth First! Journal*, Brigid / February 2, 1989.

¹⁶ “LP to Close Another Mill”, by Keith Michaud, *Ukiah Daily Journal*, December 9, 1988; “LP to Lay Off 100 Red Bluff Workers; Mill Closure Blamed on Lack of Logs”, by Mike Geniella, *Santa Rosa Press Democrat*, December 10, 1988.

¹⁷ “LP to Close Two Mills, Blames Environmentalists”, staff report, *North Coast News*, December 15, 1988.

¹⁸ “L-P to Lay Off 100 Red Bluff Workers; Mill Closure Blamed on Lack of Logs”, by Mike Geniella, *Santa Rosa Press Democrat*, December 10, 1988.

Once again, the company blamed environmentalists.¹⁹ This time, however, the workers didn't buy it. The Red Bluff mill was one of the few remaining L-P mills that was still unionized, and Fred Emory, President of the United Independent Box and Lumber Workers suggested that, in this case at least, the company's actual motivations were union busting, stating:

“(The mill closure could be an) attempt on the part of L-P to disrupt the membership of the union due to the timing and manner in which L-P (announced) the closure...LP has used odd work schedules and extended shut downs in the past that have made it increasingly difficult for unions to conduct business.”²⁰

An anonymous worker made it clear that they didn't believe L-P's rhetoric about the mill closures being due to the actions of the local environmental activists stating, “We've always known that L-P is over cutting, and a lot of us have had our bags packed for the deep, south for a long time now...I guess (the environmentalists) overdo it sometimes, but I've got more in common with them than I do with Merlo.”²¹ Even Ray Smith didn't believe the official company line, suggesting that L-P had made “economic decisions...behind closed doors.”²²

Obviously, L-P had an agenda that they weren't completely revealing to the public. Earth First!er Don Morris speculated that L-P was attempting to secure more timber from the Mendocino National Forest.²³ Evidence later showed that L-P's claims, echoed by Doug Bosco, of insufficient logs available due to lawsuits were indeed a lie, as the Mendocino National Forest's annual timber Sale Report for Fiscal Year 1988 revealed that over 135 million board feet (mbf) was harvested from 10,000 acres of the forest, and 94 mbf were logged as “fire salvage timber,” all of which could have been bid on by L-P, but weren't.²⁴ Don Morris also noted that L-P had already contracted that year to log 42 mbf of fire damaged and ‘incidental’ green timber—enough to run the Potter Valley Mill for an entire year—on 6,000 acres of the forest, and that 32 mbf of this total had been obtained for as little as \$20 dollars per thousand bf, which was far below its actual worth, and that the average bid on such timber was between \$71-\$135 per thousand. Additionally, much of the wood secured by other company's bids generally wound up being milled by L-P in Potter Valley anyway!²⁵ Bruce Anderson on the other hand, speculated that the actual reason for the closure of the mill was motivated by

¹⁹ L-P Evokes the ‘E’ Word”, letter to the editor by Don Morris, *Ukiah Daily Journal*, December 11, 1988; “LP Announces Layoffs”, *Mendocino Beacon*, December 15, 1988;

²⁰ Hensen, February 8, 1989, op. cit.

²¹ Hensen, February 8, 1989, op. cit.

²² Brakken, April 24, 1989, op. cit.

²³ Hensen, February 8, 1989, op. cit.

²⁴ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, March 29, 1989.

²⁵ Hensen, February 8, 1989, op. cit.

the company's desire to avoid cleaning up years of toxic discharges caused by their careless milling operations.²⁶

Earth First!er Larry Evans blamed automation and exports. Earth First! could not do much of anything to challenge automation, but they could campaign against log exports. While everything else had been going on, the log export issue had not died down. In 1984, further following the logic of supply side economics, the US Government introduced federal subsidies for private log exports—under rules pertaining to a wide variety of export commodities—which allowed multinational corporations to obtain tax exemptions of 15 to 30 percent of their export income.²⁷ Despite the supposed restrictions on exporting logs from federal lands, exports had increased by one billion board feet between 1984 and 1988.²⁸ In 1987, three bbf of logs were exported from ports on the Pacific Coast of the United States to the Pacific Rim, and almost 70 percent of those were sent exclusively to Japan. On the west coast of the United States, a total of 4.6 bbf of raw logs were exported in 1988, resulting in loss of nearly 14,000 mill workers' jobs.²⁹ Accurate figures showed that log exports by far dwarfed any environmentalist impacts when it came to job losses by timber workers.³⁰

With that in mind, Evans announced a multipronged, comprehensive campaign by Earth First! and the IWW to combat the practice. His call encouraged mill workers, loggers, and truckers, stating that they should work together with the environmentalists on this particular issue:

"It's obvious to us that the timber industries' whining about environmentalist-caused mill closures is just another scam to obscure the truth.

"The market for overseas log exports is booming with a 22% increase in volume shipped in 1988 over 1987. This has fueled accelerated liquidation of the forest ecosystems of the American Pacific Northwest.

"The myth that Earth First! and other environmental groups are out to deliberately create an economic depression in the Pacific Northwest is total nonsense...We all suffer the social disruptions caused by large scale layoffs. That's why our beef is with the economic system which encourages forest

²⁶ "Here and There in Mendocino County", by Bruce Anderson, *Anderson Valley Advertiser*, December 14, 1988.

²⁷ 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".

²⁸ "Lumber Workers' Jobs Hit the High Seas", *Industrial Worker*, February 1990.

²⁹ "Jobs, Automation and Exports", by Eric Swanson, *Mendocino Country Environmentalist*, July 22, 1992.

³⁰ "Exports Threaten Jobs!", by Carlos Benemann, *Country Activist*, February 1989.

liquidation for profits and greed instead of reasonable need. If this be free trade, we need free trade like we need a hole in the head.³¹

“We as environmentalists, workers, and union members are pursuing this campaign as the first step towards the attainment of a truly sustainable economy emphasizing the long term health of the land and its ecosystems, as well as maintaining employment for timber workers and their children and their children’s children. We do not see these goals as contradictory, but rather as complimentary. Careful land use practices which emphasize the design of nature *are* labor intensive.”³²

Evans announced that the campaign would include letter writing drives; public outreach and education through bumper stickers, press releases, literature tables, brochures, and more; research; and, of course, direct action (carefully chosen at the appropriate targets). Evans admonished workers and environmentalists to share information, send anonymous tips, and set up their own, independent campaigns.³³

Judi Bari and Darryl Cherney went a step beyond that and directly called L-P’s bluff. They challenged L-P to open up their books and reveal exactly what their actual timber holdings were.³⁴ Stating that they were tired of being blamed in the corporate and local media for the loss of timber workers’ jobs, they issued a press release stating that they would call on the local environmental activists to withdraw all of the alleged (nonexistent) lawsuits and all spotted owl set asides if Louisiana-Pacific would agree to permanently keep open both of the mills scheduled for closure and guarantee that all of the workers slated for layoffs working in perpetuity, arguing that sustained yield equals sustained employment. This move was supported by a wide assortment of timber workers, former timber workers, environmentalists, residents, and local labor

³¹ “Earth First! to Protest Log Exports”, press release, *Anderson Valley Advertiser*, May 24, 1989 and *The Mendocino Commentary*, May 25, 1989.

³² “Labor / Environmental Coalition Forming”, by Larry Evans, *Country Activist*, February 1989.

³³ Evans, February 1989, op. cit.. This campaign wasn’t just talk or isolated either. Over the course of 1989, Earth First!ers throughout the Pacific Northwest organized several anti-export rallies. One of these took place on February 13, 1989 at Knappton, near St John’s Bridge in Oregon on February 13, 1989. They organized several more later that year at the huge export dock in Longview Washington on the Columbia River near Portland, Oregon. In this last action, the Earth First!ers climbed atop the large cranes and hung banners reading, “USA and JAPAN: STOP THE WAR ON NATURE”; “STOP JOB EXPORTS”; and “EARTH FIRST! SUPPORTS US MILLWORKERS”. Members of the International Longshore and Warehouse Union (ILWU) were mixed in their reactions, though at least one sympathetic docker asked the Earth First!ers what had taken them so long. After being arrested, the demonstrators were initially charged with Criminal Anarchy and Criminal Syndicalism laws, of all things—laws which had originally been written to systematically repress the IWW during the 1920s. The charges were eventually dropped. For details, see “Anti-Wobbly Law Used Against Earth First!ers, by Connie Firr, *Industrial Worker*, February 1990, and *Earth First! Journal*, Brigid / February 2, 1990 (the later version was substantially abridged).

³⁴ “Northwest Wobs Call for Support to Keep L-P Mill Open”, by Judi Bari and Darryl Cherney, *Anderson Valley Advertiser*, December 28, 1989 and *Industrial Worker*, March 1989.

union officials (including the IWA's Don Nelson). Faced with a P. R. debacle, Glennys Simmons made token gestures of approval, but she was overruled by her superiors.³⁵ Shep Tucker dismissed the Earth First!ers charges by stating, "They can say industry is the bad guy, but they don't know anything about meeting payroll...there's nothing that hurts more than seeing the faces of those guys when you tell them they're not going to have jobs."³⁶

Darryl Cherney and Judi Bari knew that the campaigns to outreach to the timber workers held much potential, and eventually, they penned their first song together, *Potter Valley Mill*, which not only was written from the perspective of the affected millworkers, it paraphrased actual quotes from some of them, and Judi Bari designed the cover showing a graphic representation of a lumber mill.³⁷ *Potter Valley Mill* became one of the most requested songs on Country Music station KUKI in Ukiah, where it was often plaid at least twice daily, and was a favorite among local timber workers.³⁸ Workers reportedly sold cassette singles of the song in Potter Valley to raise awareness and hardship funds.³⁹ Bari and Cherney embarked on a short "Musical Missed-tree Tour" around the North Coast to raise awareness about the closure as well as related issues.⁴⁰ According to Judi Bari, "Shortly after the mill closed, (and L-P opened a chip mill in nearby Calpella which only employed 15), three men, who were, according to Judi Bari, "definitely *not* Earth First!ers", tried—unsuccessfully—to torch the new chip mill with a Molotov cocktail"⁴¹, perhaps because the song made two cryptic references that could have been interpreted as promoting sabotage.⁴²

³⁵ Bari and Cherney, December 28, 1989, op. cit.

³⁶ Hensen, February 8, 1989, op. cit.

³⁷ The song is featured on *They Sure Don't Make Hippies Like They Used To*, by Darryl Cherney, 1989.

³⁸ "Here and There in Mendocino County", by Bruce Anderson, *Anderson Valley Advertiser*, May 24, 1989.

³⁹ "Timber Wars", by Judi Bari, *Industrial Worker*, October 1989

⁴⁰ "Mill Closure Set to Song", by Keith Michaud, *Ukiah Daily Journal*, April 24, 1989.

⁴¹ "Molotov Cocktail Left at L-P Mill", *Ukiah Daily Journal*, July 2, 1989. L-P guard Jamie McLain reported that the three individuals threw the device at him, but the actual cocktail was never lit.

⁴² Bari, October 1989. Op. cit.

14. Mother Jones at the Georgia Pacific Mill

“Greed is a noble motivator, when applied in the right context.”

—T Marshall Hahn, President, Georgia-Pacific, 1983-93

At least the workers at the *Georgia-Pacific* Mill in Fort Bragg had a union who would protect their jobs and working conditions—or so they thought.

The lumber mill that adorned the California coast in Fort Bragg was the largest employer in town, a town whose economy depended on timber. The mill employed more than 600 workers whose wages began at around \$7 per hour and ranged up to \$18 for long time veterans. Remote from any major highways or rail lines, and lacking a deep water port, the only other industries of any significance in that area were fishing and tourism (though the wine trade was just beginning to gain some pertinence as well).¹ The large mill had been owned by the Union Lumber Company until it was purchased by Boise-Cascade (B-C) in 1969, at which point, IWA Local 3-469 unionized the workers. B-C suffered financial difficulties and subsequently their California holdings were purchased by Georgia-Pacific (G-P) in 1973, in a hostile takeover. B-C filed a successful anti-trust suit against G-P, which had to spin off another company (which became Louisiana-Pacific) to comply with the terms.² G-P retained ownership of the Fort Bragg facility. Mendocino County environmentalists had tangled with Georgia-Pacific for many years—most notably over the expansion of the Sinkyone wilderness. Though not actually a company town like Scotia, Fort Bragg was essentially a company town in practice, and that would be proven for all to see. G-P Mill workers were still reeling from their concessionary contract in 1985 and from the loss of their union loggers in the woods—who had been replaced by Gyppo logging crews—when an incident happened on February 11, 1989 that would further expose what went on behind the Redwood Curtain.

Timber mills, even unionized mills, are dangerous places, approaching conditions not unlike those in the meat packing plants described in Upton Sinclair’s classic, *The Jungle*. For years, North Coast timber, pulp, and paper mill workers had complained

¹ “Becoming a Non-Person in a Company Town”, by Bruce Anderson, *Anderson Valley Advertiser*, July 26, 1989.

² “Don Nelson: Candidate for Supervisor, 4th District (Mendocino County), interview by Beth Bosk, *New Settler Interview*, issue #31, May 1988.

about dangerous conditions and toxic chemicals used in mill machinery and processing applications, and management's lax safety standards. For example, in 1982, Michael Welch, an employee at McNamara and Peepe's Arcata mill was instructed to work with lumber being dipped in Pentachlorophenol (PCP)—an anti-fungicidal agent used to prevent discoloration of the wood. No safety equipment was available, and when Welch questioned his supervisors, he was told, "this stuff is completely safe; you could bathe in it." However, OSHA had already stated otherwise, because, not unlike Garlon, this chemical was closely related to Agent Orange, and its effects were similar. Welch had noticed that safety warnings specifically meant to warn workers about the dangers of this particular chemical had been removed, without any explanation. Welch refused to do the work, but he was the exception, rather than the rule, and PCP was used in hundreds of mills throughout the industry at the time.³

Two years later, Simpson announced that they would be using tetrachlorophenol (TCP) at its facility in Korbel. The workers, represented by IWA Local #3-98 opposed Simpson's plans, even threatening to strike over the issue at one point. Simpson negotiated a settlement, promising to use a failsafe device on the company's waterlines to prevent contamination (which was never done). Less than six months later, in February 1985, these same workers were exposed to fungicide Busan 1030, a TCP substitute, which had leaked into the company's water supply, and was detected by its odor (TCP itself is odorless). Simpson reacted by laying off the workers and refusing to pay them for lost time, arguing that "just because they promised to install a safety device and then didn't is no reason for them to pay workers for a layoff caused by a company mistake." The company and its hired physician argued that Busan 1030 was "relatively safe," again in spite of well cited contrary evidence.⁴ Indeed, the use of dioxins in paper mills was a common occurrence, and each time the companies that used them insisted they were "perfectly safe".⁵ However, surveys taken throughout the US and Canada already indicated a significant incidence of toxic and even fatal reactions to these chemicals, and in Canada, at least, unions were lobbying to ban these chemicals altogether.⁶

Mill workers were also routinely exposed to asbestos as was the case in the Louisiana-Pacific mill at Samoa. On January 2, 1988, five workers filed suit in Humboldt County Superior Court that they had been injured when the company illegally removed asbestos, without taking proper precautions, during the week of June 22, 1987. They further charged that L-P had foreknowledge of the danger but neglected to warn the affected workers or take reasonable steps to protect them from exposure. There were at least 20 other workers not part of the suit who were similarly exposed. OSHA had already determined that there was no minimum threshold of exposure to asbestos that didn't involve at least some risk of cancer, but L-P disregarded that information. The

³ "Mill Workers Exposed", by Daniel A. Faulk, *Hard Times*, February 1983.

⁴ "Korbel Poisoning: Fallacies", by Daniel A. Faulk, *Country Activist*, March 1985.

⁵ "Dioxin in Paper Mills", by Carol Van Strum, *Country Activist*, February 1987.

⁶ Faulk, February 1983, op. cit.

Corporate Press neglected to cover this news, and they also failed to note that one person who did, Arcata resident Ida Honoroff, was a staunch environmentalist.⁷ However, such an example did not conveniently fit into the stereotype of “unwashed-out-of-town-jobless-hippies-on-drugs,” so they ignored it.

* * * * *

The Georgia Pacific Mill cogenerated its own power with a machine known as a “hog”, which converted wood debris from the milling operations into heat for a furnace that generated steam which in turn generated electricity which powered the mill. If the hog failed, the mill would come to a halt until it was repaired.⁸ On the morning of Saturday, February 11, 1989, several workers reported the presence of oil on a pump near the hog to head millwright, Frank Murray, although other workers later reported that oil had been seen near that location for a few days previously. Murray was summoned in case the pump in question was failing. Millwrights function as triage mechanics, fixing machinery in the production oriented, profit driven mills on the fly if necessary, and Murray was proficient in this task. Accompanied by mill electrician Ron Atkinson, Murray went to investigate and found oil all over the floor near the pump.⁹

As he was examining the device, a metal capacitor box located several feet above his head—which was the actual source of the leak—burst open, drenching him in a chemical shower. Startled by the initial drops, Murray looked up and swallowed nearly a gallon of the liquid as it cascaded down on to him. Apparently the capacitor, which was used to start the hog motor, had been leaking for some time, as much as an hour before being finally checked, and as luck would have it, burst at the exact moment when Murray stood beneath it. He began gagging, and—being a middle aged man with dentures—spit out his false teeth. Murray was temporarily blinded, but soon noticed tags near the burst housing warning of PCBs once he regained his sight.¹⁰

Murray was in agony, but his anger exceeded his pain, and he confronted the on duty G-P safety director, Ron Venett, who had been called to the site of the incident, which had also been witnessed by Atkinson. Venett denied that the oil contained PCBs, and he and Murray proceeded to argue about it for several minutes. Atkinson also argued with Venett, then hosed off Murray in one of the plant bathrooms before the latter was taken to the hospital emergency room. Murray told the emergency room staff that he was certain he had ingested PCBs, but the staff responded that the company had already reported that the chemicals were merely mineral oil. The emergency room

⁷ “L-P Workers Exposed to Asbestos”, letter to the editor by Ida Honoroff, *Eureka Times-Standard*, May 27, 1988.

⁸ “Powerhouse Burning Hot”, by Sean Whaley, *Fort Bragg Advocate News*, September 29, 1982. Theoretically, this process could be trumpeted as an example of green biomass electricity generation, though of course, when one factors in the source of the power, clear-cut old-growth forests, all pretensions of green power drop away.

⁹ “At the Mouth of the Hog: Georgia-Pacific Lies About the PCB Spill”, by Mike Koepf, *Anderson Valley Advertiser*, March 15, 1989.

¹⁰ Koepf, March 15, 1989, op. cit.

doctors did not even pump Murray's stomach, even though he arrived at the hospital less than 30 minutes after the accident.¹¹

Meanwhile, as the capacitor continued to leak, more and more of the oil found its way onto the area around the conveyer belt that fed the hog, the nearby machinery, and the sawdust that typically accumulates in the mill. Murray was sent back to work that night, even though he complained of an upset stomach and dry skin, and he and a crew of millwrights welded and cut around the spill for several hours afterwards. They taped a plastic bag under the burst capacitor to collect the still dripping oil. GP's insistence that the oil didn't contain PCBs wasn't convincing any of the workers though, and some electricians even refused to repair the capacitor or even work in the area without protective gear. Nevertheless, at least three shifts of workers came and went and tracked some of the oil into their homes where they exposed their spouses, children, and extended family members to it.¹²

Whether or not Venett was mistaken or deliberately lying, he went to great lengths to hide or destroy the evidence. Some of the oil was apparently cleaned up using paper towels, which were then burned in the hog furnace. Meanwhile, records of the incident, including the details that supported the conclusion that the oil contained PCBs were altered or conveniently lost. At least one worker contacted the Fort Bragg Police and reported a PCB spill. The Police then contacted the US Coast Guard and the Office of Emergency Services (OES) in Ukiah, who contacted G-P management at the mill. Venett reported to Greg Smith of the OES that there was no PCB spill, and stated that he would report the same to the other agencies that had been notified. Smith uncritically accepted this report, and no investigators from any of the agency were dispatched to the mill to verify Venett's claim. Plant Manager Don Whitman backed Venett's account, which omitted the visual reports by several workers of the yellow warning label on the housing warning of PCBs.¹³

According to G-P records, one of the plant's electricians, John Bucholz, supervised the cleaning up of all of the remaining oil with absorbent pads, which were then stored in plastic bags, that were in turn placed in the mill's chemical room, which is almost always locked. G-P evidently didn't want these to be inspected, lest the claim about PCBs turned out to be true. Then, on the afternoon of February 13, 1989, according to GP's records, Venett met with Jim Ehlers of the Mendocino County Health Department, and again claimed that the oil contained no PCBs. Ehlers took Venett at his word, and like Smith, also didn't investigate the matter independently, and praised Venett for the cleanup job. Even then, the plastic bag and the yellow warning label were still clearly visible on the housing of the burst capacitor.¹⁴

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¹¹ Koepf, March 15, 1989, op. cit.

¹² Koepf, March 15, 1989, op. cit.

¹³ Koepf, March 15, 1989, op. cit.

¹⁴ Koepf, March 15, 1989, op. cit.

Hog tender Treva Vandenbosch, a G-P employee of eight years, whose workweek began on Mondays, noticed the plastic bag and the oil after wiping off a gage for the oil pump, however, and stood up on the Hog conveyer belt to get a closer look.¹⁵ There she noticed the yellow warning label, and instantly contacted the IWA Local #3-469 safety representative, and requested that he ask G-P if the capacitor did indeed contain PCBs. The company told the safety representative who reported to Vandenbosch that the warning label was incorrect, but she was skeptical, partly because her hands and face had been exposed to the oil and were now burning. During the lunch break, Vandenbosch and a fellow worker examined the burst capacitor once again, took a sample of the oil, and observed that the bag now had a hole in it through which oil was dripping onto the machinery and plant floor below once again.¹⁶ She then contacted fire department and OSHA, whom she had to call twice before she got an answer.¹⁷

Meanwhile, unbeknownst to Vandenbosch, plant manager Whitman, fearing that the situation might unravel further, had asked that Venett request that a lab test a sample of the oil himself, which he did, presumably from the locked cleanup materials. Whitman was being questioned by Frank Murray when the results finally came back, which confirmed that the oil *did* in fact, contain PCBs. On Tuesday, while Vandenbosch was working—with her hands and face still burning where exposed to the oil—the Fire Department arrived, taped off the hog, and instructed everybody to stay out of the area.¹⁸

Vandenbosch again contacted IWA Local #3-469, this time to complain about the situation. That afternoon, she was summoned to the mill by Ron Venett for a conference and found herself in a captive meeting with five supervisors who proceeded to harass her and berate her, stating that the spill had been contained and that she was beating a dead horse. They drew her a diagram of the spill that was nothing close to the actual situation. Vandenbosch responded by asking them why they hadn't told her and her fellow workers that the oil contained PCBs, why the company had not followed OSHA procedures, and also asked why she alone, among the workers exposed to the oil, was being questioned, to which they responded that they would also question the others later (but never did).¹⁹

Two days after that, acting on information from her fellow workers, Vandenbosch attempted to meet with Don Mobely, a G-P executive who was in town for a meeting to get to the bottom of the situation, but was denied. Refusing to back down, Vandenbosch singlehandedly picketed GP's main offices in Fort Bragg, until the company acquiesced and granted her an audience with Mobely. G-P then contacted ENSCO Environmental Service, a private toxics first responder company based in Fremont, California, who arrived at the mill late Tuesday evening, February 14. ENSCO worked until 6:30 PM

¹⁵ Anderson, July 26, 1989, op. cit.

¹⁶ Koepf, March 15, 1989, op. cit.

¹⁷ Anderson, July 26, 1989, op. cit.

¹⁸ Koepf, March 15, 1989, op. cit.

¹⁹ Koepf, March 15, 1989, op. cit.

the next day. Thursday morning, G-P informed Randy Leach of the Mendocino County Health Department that the cleanup was complete, and Leach declared the area safe to enter. ENSCO then contacted G-P announcing that their initial report that their work was done had been in error. The area was then again closed, ENSCO worked until Friday, and this time removed the wooden floor surrounding the affected area, and shipped it to Arkansas to be incinerated. The horse had been anything but dead.²⁰

In spite of the growing body of evidence that something was seriously wrong, G-P management continued to paint Vandenbosch as a loose cannon, and soon many of her fellow workers stopped associating with her. Management accused her of “faking” her ailments, responding, “we’re all going to die (eventually) of one form of cancer or another anyway,” according to Ron Atkinson. Vandenbosch was not satisfied with this response and sought medical attention. She went to the Georgia-Pacific nurse, who referred her to the medical care of her choice, a nurse practitioner, Georgia McClusky, who was a medical professional Vandenbosch had known and trusted for some time.²¹ This time her trust would be betrayed.

McClusky had recently gone to work for Dr. Berenson of the town of Mendocino, who—it turns out—was loyal to Georgia Pacific. McClusky brushed off Vandenbosch’s concerns, responding, “we’ll what did you expect? You’re playing hardball.” Then McClusky suggested that Vandenbosch quit G-P, and although company referrals automatically start workers compensation claims, even if the claim is ultimately determined not to be the company’s responsibility, McClusky requested that Vandenbosch pay for the doctor’s visit. Still not satisfied, she consulted McClusky a second time, expressing anxiety, but McClusky wrote a report stating that Vandenbosch was *not* worried about PCB contamination *in complete contradiction* of the latter’s actual emotional state! Upon returning to work, Vandenbosch’s coworkers shunned her; one accused her of trying to shut the mill down completely. She received hang-up calls late at night, and after much frustration and anxiety, ultimately took McClusky’s advice and resigned, and, after several months and numerous appeals, she finally received workers compensation, but no assurances that she wasn’t still in danger from exposure to PCB’s.²²

* * * * *

To the local media, the spill was a nonissue. The *Santa Rosa Press Democrat*²³ and *Fort Bragg Advocate-News*²⁴ covered it initially, and the reporting was woefully inadequate. The mainstream news would only report that G-P public relations spokesman Don Perry described the incident as “unfortunate,” and added, “According to our records there was no way we could have known PCBs were at that site.” It also reported that IWA Local #3-469 Union Representative Don Nelson believed that the

²⁰ Koepf, March 15, 1989, op. cit.

²¹ Anderson, July 26, 1989, op. cit.

²² Anderson, July 26, 1989, op. cit.

²³ “Fort Bragg Mill Closed by PCB Spill”, by Mike Geniella, February 16, 1988.

²⁴ “Hot Tubbin at Harry’s: Anna Marie Stenberg”, interview by Lynne Dahl, *New Settler Interview*, issue #54, December 1990.

company had made a “real effort” to phase out PCB-laden equipment in the mill.²⁵ Nelson even went so far as to downplay the entire affair on his radio show on KMFB, which angered Murray, Atkinson, and VandenBosch, who singled him out among the union’s leadership as “pathetic” and not doing “jack shit”.²⁶

The issue might have remained unknown if it weren’t due to a bit of good fortune. A local Fort Bragg resident, Anna Marie Stenberg, who ran a daycare center out of her residence in sight of the mill, and happened to care for Ron Atkinson’s then three-year-old son, Jason, noticed that Ron was visibly upset one day when he came to retrieve the boy. Stenberg knew Atkinson and his wife to be people of solid integrity. When questioned, Atkinson explained to Stenberg the gravity of the situation, including his failed attempts to contact the *Santa Rosa Press Democrat*, the area’s most major daily periodical, to cover the issue in depth. When told about the burning of the cleanup materials in the hog furnace, Stenberg informed Atkinson that the issue was even larger than anyone had realized, because PCBs have to be taken to a special incinerator in order to be properly discarded. The hog wasn’t hot enough to do that, and under insufficient heat, burning PCBs turn into Dioxin. *In their effort to hide or even destroy the evidence, G-P had risked the health and safety of the entire city of Fort Bragg.*²⁷

Atkinson was now livid, and was determined to see justice done. Stenberg agreed to help, suggesting that Ron talk to her then husband, Mike Koepf, who was a freelance writer and submitted articles periodically to the *Anderson Valley Advertiser*, which had a small circulation, but one large enough to at least get some notice. Atkinson, who was part Pomo Indian, was used to fighting the powers that be, and this time was no exception.²⁸ Koepf interviewed Atkinson (who initially requested anonymity out of fear of reprisal), Murray, and VandenBosch, whose stories all corroborated one another’s, and his article was published in the *Anderson Valley Advertiser* just over one month after the PCB spill.²⁹ He also interviewed Don Nelson, but chose not to include any of the quotes from the maligned union official, which irked the latter, who in turn wrote an angry letter to the editor (where he again underplayed the seriousness of the accident).³⁰ Both Bruce Anderson and Mike Koepf responded, equally angrily, pointing out that the reason why none of Nelson’s statements had been printed was because they matched those of Georgia-Pacific word-for-word, and had dismissed the

²⁵ Geniella, February 16, 1988, op. cit.

²⁶ Koepf, March 15, 1989, op. cit.

²⁷ Dahl, December 1990, op. cit.

²⁸ Dahl, December 1990, op. cit.

²⁹ Koepf, March 15, 1989, op. cit.

³⁰ “Don Nelson Replies”, letter to the editor, by Don Nelson, *Anderson Valley Advertiser*, March 29, 1989.

workers' concerns as trivial.³¹ PCBs and dioxin were no trivial matter, however. Mike Koepf had also reported:

"The Environmental Protection Agency banned the disposal of PCBs in 1975 after tumors and reproductive disorders showed up in laboratory animals. Trout have been killed by exposure of 8 parts per billion, shrimp by 1 part per billion. PCB is a suspected carcinogen. Early studies of PCB contamination concentrated on respiratory exposure, but recent studies are looking at other areas of the body. A long-term study of workers exposed to PCB printed in the Archives of Environmental Health in December, 1987, is focusing on the rectum, liver, gall bladder, and the biliary tract. The *American Industrial Hygiene Association Journal* in March, 1987, cites "evidence for dermal (skin) absorption as the major route of body entry." Yet the EPA still officially measures exposure strictly by respiratory standards.

"Increasing public awareness, however, is forcing state governments to look to more current methods of approaching PCB exposure. Last year (1988) California voters passed Proposition 65, and to contaminate water with more than .045 parts per billion PCBs is now a reportable offense in this state. *The lab samples taken from the site of this spill were over 1,000 times more potent than this standard.*"³²

Stenberg, meanwhile, volunteered perhaps as many as 40-hours per week, phoning the EPA, OSHA, and the Attorney General's Office; she then retained a lawyer, Karl Sigurd Leipnik of Healdsburg, for the injured workers.³³ Since few of the millworkers read Anderson's muckraking Boonville based periodical, Stenberg made copies of the article and had the families who used her daycare services recopy and distribute the bulletin throughout Fort Bragg. She also contacted Mendocino County District 5 Supervisor, Norm DeVall—not even fully aware of who he was—and described the incident in graphic detail on the air on the latter's community access radio show on KMFB. DeVall suggested that Stenberg contact Fort Bragg City Council member Andre Schade who was one official not completely in GP's pocket (or somebody who had once held a position in G-P management).³⁴ Schade agreed to place the issue on the agenda of the April 10, 1989 meeting.³⁵

Meanwhile, after hearing of the incident, at the March 28, 1989 Board of Supervisor's meeting, Dr. Craig McMillan, head of the Mendocino County's public health

³¹ "Bruce Anderson's Reply" and "Post Script from Mike Koepf", *Anderson Valley Advertiser*, March 29, 1989.

³² Koepf, March 15, 1989, op. cit. Emphasis added.

³³ Dahl, December 1990, op. cit.

³⁴ Interview with Anna Marie Stenberg, October 18, 2009.

³⁵ Dahl, December 1990, op. cit.

program was grilled in front of the Mendocino County supervisors by angry residents. Two issues angered them in particular. The first was a less than stellar report by the California Air Quality Control Board concerning Mendocino County's Air Pollution Control District, judging McMillan's Pollution Control District to be a failure.³⁶ The report declared that local violators were routinely excused by telephone calls, fines were left uncollected, and enforcement positions were routinely unfilled. The report also judged the standards by which tests were conducted as woefully inadequate, citing for example, an instance where the air quality test done at the G-P mill had been conducted "visually". David Drell (who had participated in the coalition that had opposed L-P's aerial deployment of Garlon four years previously) accused McMillan of adopting policies that accepted the reports of local corporate polluters at face value.³⁷ McMillan denied the allegations, making some rather incredulous rationalizations essentially comparing apples (rural pollution control standards) to oranges (urban pollution control standards). These excuses were endorsed in a rather comical utterance by Marilyn Butcher, who complained about regulations prohibiting her from lighting two smudge pots in her fruit orchard during cold weather.³⁸

Mike Koepf questioned McMillan on the PCB spill, reporting that when he had contacted his office for a report on the incident, they had simply forwarded Georgia-Pacific's official account on the spill (which was known to be full of omissions and falsehoods) as if that statement were the Health Department's official report. Koepf stated that the account included none of the statements made by Murray, Atkinson, or Vandebosch, and that in fact, none of the workers had even been contacted. Koepf reported that he had confirmed this by interviewing individuals from the County Health Department by telephone. McMillan then lost his composure, accusing the assembled critics of badmouthing his underlings, stating that this "really ticked (him) off". He then presented a Health Department "Fact Sheet", dated March 27, unsigned and typed entirely in capital letters, not on official department stationery (which went against standard practice). The fact sheet, however, was so badly garbled, and included statements that suggested the Health Department declared the scene safe "AT G-P's REQUEST". While the statement may have been hastily assembled by McMillan and his staff in order to deflect attention away from their almost certain collaboration with G-P, they had actually painted themselves into a corner, because G-P used this very same "fact sheet" to convince OSHA that the area was indeed safe.³⁹

Now the truth was out completely. Angry residents who had read Koepf's first two articles showed up to confront the management of the de facto company town at the April 10, 1989 Fort Bragg city council meeting, and the powers that be were equally

³⁶ "Supervisors Review County Air Quality Audit", by Keith Michaud, *Ukiah Daily Journal*, March 29, 1989 and "Look them in the Eyes: Health Department Cover-up", by Mike Koepf, *Anderson Valley Advertiser*, April 4, 1989.

³⁷ Koepf, April 4, 1989, op. cit.

³⁸ Michaud, March 30, 1989, op. cit., and Koepf, April 4, 1989, op. cit.

³⁹ Koepf, April 4, 1989, op. cit.

evasive and dismissive.⁴⁰ During the first twenty minutes of the Monday night meeting, various representatives of county and city public safety committees denied that their jurisdiction covered Georgia-Pacific's private property, which made an already upset audience—which included many G-P workers, some of them on their lunch breaks—even angrier. During the public comment period that followed, speaker after speaker excoriated the public officials and G-P for their irresponsible behavior.⁴¹

Mayor Alden Thurman, sensing that the peasants were about to get out of hand, tried to adjourn the meeting, exclaiming, "We've heard enough." The audience ignored the mayor and began speaking from the floor. Anna Marie Stenberg again pointed out, this time to the assembled audience and public officials, that the PCBs burned in the hog could have potentially transformed into dioxin and rained down upon the residents of Fort Bragg. Ron Atkinson, who was one of the workers appearing in the council chambers during his lunch break on the swing shift, declared, "If it turns out that my son or my wife has any kind of problem from this, I'll kill the people responsible!" Vandebosch reiterated her concerns as well to which the mayor responded, "It might not be as bad as you think. Don't we all have little accidents around the house and think they are bigger than they are?"⁴²

The workers and residents weren't buying it. At least one resident vowed to run against the mayor in the next election, saying, "We're here to talk about a large catastrophe with unknown effects and here's the Mayor chuckling about stubbed toes."⁴³ Lotte Moise, a Fort Bragg resident and environmental activist presented evidence that G-P had knowingly lied about the presence of PCBs and their foreknowledge of their danger, citing EPA studies taken two years previously. She asked why if G-P had known about this, they hadn't already removed the capacitors already.⁴⁴ Don Perry reassured the crowd that the company was taking the matter very seriously, including studying ways to safely remove the four other capacitors in the mill that used PCBs, but revealed that the company's bottom line came first, because so far each of the viable methods they had explored required shutting down the mill until the job was done.⁴⁵

Mendocino County air quality monitor Philip Towle then revealed that G-P had, for years, used the hog as an all purpose incinerator, not just as a cogeneration facility using wood debris as fuel, and that this was a violation of existing laws, but he added that he believed that the company had been unaware of their violations. Towle also

⁴⁰ "PCB Spill at Mill Topic in Fort Bragg", By Pat McKay, *Santa Rosa Press Democrat*, April 10, 1989.

⁴¹ "No One Has Jurisdiction: Fort Bragg City Council Hears Angry Citizens Denounce Georgia-Pacific's PCB Spill and Cover-up", by Bruce Anderson, *Anderson Valley Advertiser*, April 12, 1989.

⁴² Anderson, April 12, 1989, op. cit.

⁴³ Anderson, April 12, 1989, op. cit.

⁴⁴ "Lotte Moise's Reactions", letter to the editor by Lotte Moise, *Fort Bragg Advocate News*, April 20, 1989 and *North Coast News*, April 20, 1989.

⁴⁵ Anderson, April 12, 1989, op. cit.

stated, however, that he couldn't consistently enforce the policy, as he was one official (based in Ukiah, which is somewhat distant from the remote and rocky coast) with no staff and an entire, mostly rural county to police. Ultimately, the City Council agreed to convene a public safety meeting and announce the date in the local press. An ad hoc committee of concerned Fort Bragg residents promised to investigate the matter further and submit expert testimony regarding PCBs and dioxins.⁴⁶ While this action barely scratched the surface of the problem, their movement all spoke to the seriousness of the situation in the virtual company town of Fort Bragg.

After having been exposed as having lied to the public, Georgia-Pacific publically (though half-heartedly) admitted, the following day, that they had indeed covered up the affair. Don Perry declared, "Admittedly mistakes were made," though when asked to explain why, he offered "faulty record keeping from past efforts to rid the mill of hazardous material." This explanation did not sit well with Treva Vandebosch, who angrily retorted, "I'm so furious. This whole thing was botched from day one. We were lied to. If the workers hadn't made such a fit, nothing would ever have been done. Production came before the workers; it's as simple as that." Newly elected Mendocino County supervisor Liz Henry agreed, declaring, "The people directly involved in this believed they had been affected, but they could not get anyone to listen."⁴⁷

The people of Fort Bragg and affected workers refused to remain silent, however. On May 10, 1989, attorney Karl Sigurd Leipnik served notice on behalf of the affected workers and residents of Fort Bragg with California State Attorney General, John Van De Kamp; Mendocino County District Attorney, Susan Massini; and Fort Bragg City Attorney Tom Lonergan of GP's violations of numerous sections of the California Health and Safety Code. The violations included Section 25249.6 (knowing and intentional exposure of workers and residents to toxic substances), Section 25180.7 (the illegal improper disposal of toxic waste and the failure to obtain permits for toxic waste disposal), and others.⁴⁸

Five days later, the EPA made a surprise visit to G-P headquarters in Fort Bragg, apparently because the agency was less than satisfied with the company's documentation of events. *Mendocino Commentary* coeditor Harold Blythe waited a week and then contacted Don Perry who initially denied the visit, but quickly and defensively admitted that this did indeed take place, but that there would be no press release discussing the matter. Blythe sensed that Perry was under strict orders to keep the matter quiet.⁴⁹ The matter was finally referred to California OSHA who fined G-P \$14,000 for "willfully exposing" workers to PCBs during and after the incident on February 11,

⁴⁶ Anderson, April 12, 1989, op. cit.

⁴⁷ "G-P Admits Workers Not Told of Toxic Spill", by Mike Geniella, *Santa Rosa Press Democrat*, April 12, 1989.

⁴⁸ "Notice is Served on GP's PCB Spill", public announcement, *Anderson Valley Advertiser*, May 10, 1989.

⁴⁹ "Publisher's Corner", by Harold Blythe, *Mendocino Commentary*, May 25, 1989.

1989.⁵⁰ The community's assumptions had been anything but "unfounded" as suggested by IWA representative Don Nelson.⁵¹

Meanwhile, the *Ukiah Daily Journal*, (and other publications) who had been quick to condemn Earth First! for the tree spiking (which they didn't commit) that nearly killed George Alexander had nothing whatsoever to say about the incident. In a virtual company town, held hostage by the threat of "job blackmail" by Corporate Timber, the people evidently had to face the possibility of death in order for their lives to matter. To the Corporate Media, however, the issue was evidently only newsworthy if it could be blamed on "unwashed-out-of-town-jobless-hippies-on-drugs."

⁵⁰ "G-P Mill Fined for Spilling Chemicals", by Mike Geniella, *Santa Rosa Press Democrat*, August 17, 1989 (in some editions this story was more prominent and also had the subheading "Company Violated Health, Safety Rules").

⁵¹ "Here and There in Mendocino County", by Bruce Anderson, *Anderson Valley Advertiser*, August 16, 1989.

15. Hang Down Your Head John Campbell

*You came from Australia, You married one of the Murphys,
They owned Pacific Lumber, And all of the redwood trees...
As soon as you hit the big time, You made good your life,
You didn't need the Murphys, So you divorced your wife.*

—lyrics excerpted from *Hang Down Your Head John Campbell*, by Darryl Cherney, 1990.¹

While the G-P and L-P mill workers faced uncertain futures in Mendocino County, Charles Hurwitz was having his way in Humboldt County. Indeed, the first third of 1989 did not go well for the adversaries of Maxxam. For his services in helping facilitate the takeover and convincing the Texas raider to boost lumber production to help service the takeover debt, Hurwitz promoted John Campbell to the role of Pacific Lumber president, effective January 1, 1989, replacing the retiring William Leone. Campbell would remain in Scotia, thus making it the first time in almost 15 years that the P-L president would have his office in the capitol of its lumber operations. Executive vice president for sales and marketing at the company's Mill Valley site and Hurwitz supporter Thomas B Malarkey was promoted to company vice chairman. Both Campbell and Malarkey were elected to the board of directors. The moves signified Hurwitz's determination to retain his hold over Humboldt County.² It no doubt appealed to Hurwitz that under Campbell's watch, P-L's operating income had increased to approximately \$54 million in 1988.³ Hurwitz himself had made a hefty sum that year, earning over \$3.95 million—up from \$723,150 the year before—and the total didn't even include an additional \$668,345 he received when he terminated P-L's bonus plan or the \$309,375 worth of stock he received on top of everything else.⁴

At least there was some semblance of independent thought in Humboldt County. TEAM cofounder Gary Gundlach had, on February 7, approached the Rio Dell City Council at its meeting on that night at the invitation of the town's mayor, Patricia Moranda. Gundlach gave a presentation on his organization's work so far (serving as

¹ "Harris, David, *The Last Stand*, New York, NY, Times Books, Random House, 1995, page 350.

² "Campbell Garners PL's Top Position", *Eureka Times-Standard*, January 7, 1989.

³ "Old Growth: Technical Knockout", by Andy Alm, *EcoNews*, May 1989.

⁴ "Maxxam and Junk Bonds; Hurwitz Makes Millions", *EcoNews*, June 1989.

a front group for Corporate Timber, particularly Maxxam), regurgitated the standard talking points about “unwashed-out-of-town- jobless-hippies-on-drugs” fifth columnists, and outlined TEAM’s plans to expand their propaganda and phony “grassroots” campaign to target audiences in the San Francisco Bay Area and Los Angeles. Gundlach evidently expected universal approval and was shocked to discover that he didn’t get it. Although Rio Dell was anything but sympathetic to Earth First!, councilman Wayne Mayhall repudiated Gundlach and TEAM, declaring that Rio Dell was not a member of it, that he objected to sentences in one of TEAM’s form letters suggesting otherwise, that the timber tax revenue received by Rio Dell was negligible, and that as a governing body, the it was not the town’s council’s place to express opinions on such matters. Mayhall concluded by recommending that the council note the presentation and take no action, which is how the matter ended.⁵

It may well have been the ESOP campaign that had created the political room for Mayhall to speak out, but the campaign was beginning to falter. Back in December of 1988, just before the Christmas holiday, Shannon and a group of ESOP supporters had appeared unannounced at the monthly Humboldt County Board of Supervisors meeting to request a formal hearing on the matter of P-L’s overcutting, warning them if left unchecked, Maxxam would cut it all down and by extension eliminate all of the timber workers’ jobs. The board responded by asking the ESOP committee to request in writing that the matter be placed on the agenda of their January meeting, which was done. Unbeknownst to the P-L employees, Shannon wrote a letter to Hurwitz requesting that the two meet to discuss a mutually beneficial arrangement. He declared:

“There have been grave misunderstandings regarding our proposal to purchase Pacific Lumber. (P-L) has responded emotionally and lacks the perspective to analyze the overall social, political, and economic ramifications of an ESOP buyout. Let us not be enemies. Our ESOP proposal benefits everyone concerned, including Maxxam and yourself by perhaps the greatest measure of all—economic profitability.”⁶

This would prove to be a tactical mistake. Hurwitz did not respond directly to Shannon, but the latter would soon get an answer.

On January 10, Lester Reynolds, Patrick Shannon, Jim Steeves, and at least two other organizers appeared before the Humboldt County Board of Supervisors requesting hearings on Pacific Lumber’s recent practices under the new regime, hoping to prove that the accelerated timber harvests would ultimately doom the local environment and economy. Steeves, a thirty year P-L employee who was concerned about his son and son-in-law who were also both employees declared, “I’m hoping they have their jobs until they can retire.” Reynolds’s added, “We as the labor force of Pacific

⁵ “Council Informed of Harvest Delays”, by Marialyce Pedersen, *Humboldt Beacon and Fortuna Advance*, February 10, 1989.

⁶ “Harris, op. cit., pages 265-66.

Lumber and Humboldt County are caught in the middle between the corporate raider who wants to cut all the trees down for the big bucks and the environmentalists who want to save all the trees.”⁷

The ESOP committee was hopelessly outnumbered, however. Three representatives of P-L’s subcontractors spoke out against the request for an investigation of P-L. An official of one of them, Joe Costa Trucking, argued that such a hearing might discourage other businesses from relocating to Humboldt County—though in all likelihood the company’s actual motivation was to retain accelerated harvesting rates which benefitted the piece-work oriented gyppos. The majority of the board, including Harold Pritchard and Anna Sparks expressed “sympathy” for the workers, but all declared that the board was not the proper place for such a discussion. Only Wesley Chesbro sounded a dissenting note arguing that P-L’s current practices were dividing the community. The fifth supervisor, Bonnie Neeley, was not present. Patrick Shannon protested the Supervisors’ refusal arguing, “You have a responsibility to watch the tax base and job base for planning our future,” but the board was unmoved.⁸

Anna Sparks then made it quite clear that the majority was unapologetically in league with Hurwitz. The supervisor, who was in her second term, claimed to be an environmentalist, and she served as vice chair of the North Coast Regional Water Quality Control Board.⁹ She also claimed to know Shannon’s mother.¹⁰ When she had signaled her intent to run for a second term in 1986, she declared, “I want to promote this area in a sound environmental way but in a way that will bring jobs to the area.” She was, however, no more an environmentalist than TEAM was an employee organization. Her idea of bringing jobs to the region was supporting offshore oil and gas development, a widely unpopular idea that even many local conservatives opposed at the time.¹¹ In response to the ESOP she expressed no ambiguity whatsoever, opining, “I don’t feel this board is the place to dissect industries,” and proclaimed that the real enemy of the P-L workers was not Hurwitz, but the environmentalists who were worried more about birds than people’s jobs. If WE CARE hadn’t scripted her response, it may as well have, because this was one of the industry’s standard talking points.¹² Leaving no ambiguity, she declared that Humboldt County was lucky to have a man like Hurwitz, who owned lots of companies and a savings and loan, investing in it.¹³

⁷ “Shannon Asks for County Hearing on Maxxam”, staff, *Eureka Times-Standard*, December 21, 1988; and “County Refuses to Hold P-L Hearings; Supervisors Hear Workers’ Concerns”, by Mark Rathjen, *Eureka Times-Standard*, January 11, 1989.

⁸ Ibid.

⁹ “Sparks Seeks Second Term as Supervisor”, by Cindy Fonstein, *Eureka Times-Standard*, February 13, 1986.

¹⁰ “Harris, op. cit., page 267.

¹¹ Fonstein, op. cit.

¹² Rathjen, op. cit.

¹³ “Harris, op. cit., pages 267-68.

However that wasn't to be the worst of it. Astonishingly, Sparks announced that *she* had received Hurwitz's answer to Shannon's letter. Proving that she wasn't bluffing, the supervisor read aloud from the communiqué on Maxxam letterhead which declared:

"Dear Mr. Shannon...I am in receipt of your letter of January 3...I am concerned about the misinformation and the blatant falsehoods surrounding the Pacific Lumber Company which appear to be circulating in Humboldt County. I believe that you and the so-called 'ESOP' group are partially responsible. Pacific Lumber does not intend to reply each time some irresponsible person starts a rumor. On this occasion, however, I wish to make unmistakably clear to the Board of Supervisors, the employees of the Pacific Lumber Company, and the citizens of Humboldt County, that, contrary to the rumors apparently started by your 'ESOP' group: THE PACIFIC LUMBER COMPANY IS NOT FOR SALE...

The Board of Supervisors, the employees of Pacific Lumber, and the citizens of Humboldt County have my best wishes for a happy and prosperous 1989, [But] Mr. Shannon, we have no interest in meeting or carrying on a dialog with you."¹⁴

This was a devastating revelation. Already Pacific Lumber management had been cracking down on the ESOP activity from within. The supportive workers had counted on outside help, but they certainly weren't going to get it from their local government.

Patrick Shannon had pointed out that few P-L workers had attended to Board of Supervisors' meeting, because the company had cancelled the time off of many other supporters at the last minute. David Galitz publically rebutted this charge in a phone interview with *Eureka Times-Standard* reporter Mark Rathjen, stating, "We don't play games like that."¹⁵ These statements were not consistent with Pete Kayes' experiences, however, and at the time his ULP was still pending with the NLRB.¹⁶ All of the naysayers against Shannon the ESOP campaign were strangely silent about the formation of an ESOP at Eel River Sawmills, however. The fact that the owners, Mel and Grace McLean supported the idea, that ERS was a strong supporter of TEAM and WECARE, and that they mostly specialized in young growth redwoods were probably the strongest factors in the inconsistent opinions expressed by the supporters of Corporate Timber.¹⁷ It wasn't ESOPs that they opposed, but rather any possible challenge to the economic status quo.

¹⁴ "Harris, op. cit., page 267. That John Maurer, an ESOP supporter who could potentially have cast the deciding vote the other way had been defeated by Pritchard was salt in the wound.

¹⁵ "Shannon Asks for County Hearing on Maxxam", staff, *Eureka Times-Standard*, December 21, 1988; and "County Refuses to Hold P-L Hearings; Supervisors Hear Workers' Concerns", by Mark Rathjen, *Eureka Times-Standard*, January 11, 1989.

¹⁶ "ESOP Update", *Takeback*, Volume 1, #1. February 1989.

¹⁷ "Eel River Sawmills Inc. Announces Formation of Employee Stock Plan", by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, February 10, 1989.

* * * * *

At least William Bertain was having better luck. On January 22, he announced that legal counsel from several expert security law firms, including Charles Barnhill of Davis, Barnhill, and Gailard of Wisconsin; Lafollette and Sinkyin, also of Madison, Wisconsin; Sachoff, Weaver, and Rubenstein of Chicago; and Cornbitt & Seltzer of Los Angeles had joined him and filed still one more shareholder lawsuit against Maxxam in federal district court in New York. All of the firms had agreed to take the case on a contingency basis, which meant that the plaintiffs would only be charged should their suit prove victorious and damages awarded, but Bertain maintained that they would not have signed on had they not thought the case winnable. The suit alleged that the shareholders would have reacted differently to Hurwitz's tender offer had they been aware of the apparent stock parking by Drexel Burnham Lambert, Michael Milken, Boyd Jefferies, and Ivan Boesky. Both this and the suit filed the previous October sought to void the Maxxam takeover of P-L.¹⁸ The timing was fortuitous, because that same week, DBL fired Michael Milken who had been accused of plotting several takeovers and reaping illegal benefits of these activities with Ivan Boesky who was now serving a (low security) prison sentence.¹⁹

One week later, Assemblyman Byron Sher decided to reintroduce a bill, AB 390, restricting clearcutting he had pulled eight months earlier (then labeled AB3601) in favor of supporting Dan Hauser's "compromise". As before, the bill proposed a ban on clearcutting old growth redwoods in groves larger than 40 acres where the trees were 175 or more years old. The Assemblyman was motivated to do so because, in his opinion, Pacific Lumber had failed to live up to the provisions of bill he cosponsored with Dan Hauser. Further, he declared that P-L had stonewalled his efforts to organize a tour of the company's land for representatives of the Trust for Public Lands as well as the Nature Conservancy to explore the possibility of purchasing some of them for a park.²⁰ In response, John Campbell suggested that Sher's actual motivation was for the state to seize "a certain 3,000 acre property", namely Headwaters Forest.²¹ He added that the company had "fully honored it's agreement" with Hauser and Sher, that it had modified its THPs changing proposed clearcuts to "select cuts", and that the CDF had made first hand inspections of the THPs and approved them.²²

This was simply rhetoric, however. Campbell neglected to mention that the so called "agreement" between himself, Hauser, and Pacific Lumber had little actual teeth and that the "select cuts" proposed in them amounted to de facto clearcuts, because only

¹⁸ "Expert Security Lawyers Join Bertain in PL Takeover Suit", by Marie Gravelle, *Eureka Times-Standard*, January 27, 1989.

¹⁹ "Drexel to Fire Milken: Withhold All Earnings", UPI Wire, *Eureka Times-Standard*, January 27, 1989.

²⁰ "PALCO has honored agreement", guest editorial by John Campbell, *Humboldt Beacon and Fortuna Advance*, February 3, 1989.

²¹ "Twin Moves Stymie Pacific Lumber", by Andy Alm, *EcoNews*, March 1989.

²² Campbell, February 3, 1989, op. cit.

one old growth tree per acre was required by its terms.²³ Sher countered Campbell by stating that he had evidence, provided by Cecilia Gregori and Lynn Ryan, from their foray onto P-L land on October 26 the previous year, that P-L had not, in fact returned to the selective harvesting they practiced before the Maxxam takeover as promised.²⁴ “(P-L is) filing new THPs at a much faster rate, including many more aimed at the heart of the old-growth ‘islands’ considered for negotiation,” Sher declared.²⁵

In the case of two contested P-L THPs, Humboldt County Superior Court Judge John Buffington seemed to agree with EPIC. Shortly after Sher introduced AB 390, Buffington issued a TRO on the THPs that proposed logging in the Lawrence Creek and Shaw Creek watersheds, ordering the California State BOF to determine what mitigation measures proposed by the DFG to offset cumulative effects on wildlife should be implemented, and whether adverse environmental impacts were being trumped by economic considerations. These were the same THPs that had been initially rejected by Jerry Partain the previous May (which subsequently inspired P-L to facilitate the formation of TEAM), and were later approved by the BOF when it overrode Partain’s sudden willingness to enforce the spirit of Z’berg Nejedly. The judge accused the agencies involved with “playing Russian roulette with the state’s resources and environment”.²⁶ In his decision, Buffington declared that the ultimate answers to the questions being brought to his court needed to be addressed by the California State legislature, which brought further attention to Byron Sher’s proposed bill.²⁷

* * * * *

With all that was happening, there seemed to be no shortage of attempts by P-L management to cover up evidence of Maxxam’s malfeasance. In February, photocopies of an anonymous letter were distributed all over Scotia claiming that when Maxxam took over P-L, it cut corners in the construction of its new cogeneration plant, and compromised the plant’s safety in the process. Part of the letter read:

“...Now it ended up the plant don’t work. We have had turbines ‘blow up’. We didn’t put the proper vibrators in the silo and the steel got twisted up pretty good when it got hot. The welds on the high pressure steam lines don’t look all too good. The plant can’t run at full power and keeps breaking down.”²⁸

Although OSHA had reportedly already conducted a preliminary inspection of the plant and had found no substantial safety violations, the letter went on to urge resi-

²³ “New Battles in the Maxxam Campaign”, by Greg King and Berberis Nervose, *Earth First! Journal*, Litha / June 21, 1988.

²⁴ “Bill Would Restrict PL Clearcutting of Virgin Redwoods”, by Charles Winkler, *Eureka Times-Standard*, January 31, 1989.

²⁵ Alm, March 1989, op. cit.

²⁶ “PL: Follow The Bouncing THPs”, by Andy Alm, *EcoNews*, April 1989.

²⁷ Alm, March 1989, op. cit.

²⁸ “Power-Plant Concerns Allayed by Board”, by Marialyce Pedersen, *Humboldt Beacon and Fortuna Advance*, February 24, 1989.

dents to contact OSHA or state and federal legislatures, express their concerns, and request another inspection. Violations or no, at least one resident, Leona Bishop—whose husband, Grant, had made the initial contact with Patrick Shannon, and whose daughter was enrolled in the sixth grade at the local school—was alarmed at the possibility that the plant, which was located near the school, could be a hazard. She therefore requested that the local school board take up the issue on its agenda at its monthly meeting on February 21, 1989. The board agreed, in spite of the reservations by Board President Brian Schapper (who was also a project leader and senior analyst for Pacific Lumber, which was not uncommon in a company town such as Scotia) that the body wasn't the appropriate forum for the issue.²⁹

The meeting proved to be yet another case where public comment was stifled in the service of Corporate Timber. This time, however, local TV media covered the event. On camera, plant superintendent Rich Sweet, who appeared at the meeting at the request of the school's staff, asserted that OSHA had found only minor deficiencies.

“The turbine had an electrical problem inside the turbine generator—a short to a ground in the field. It's a figure of speech to say ‘it blew up’ like you'd say you ‘blew a fuse’ at your house, but it doesn't mean your house blew up. We did have a fire in the dust collector hopper, but these things happen and are easily put out.”³⁰

Sweet did concede, however, that the plant was only running at two-thirds capacity due to a mechanical problem, but argued that it was General Electric's responsibility to fix it.³¹

The plant manager's response did not sit well with Plumbers and Steamfitters Local #471 Business Manager, Gary Haberman, a local builder and member of the Yurok Indian tribe, who was in attendance and requested a chance to rebut Sweet, which was granted. The union official indicated that there were many residents who were legitimately concerned about the plant's safety, or lack thereof, but were afraid to speak out for fear of retaliation. He then asked four questions: (1) did they scatter their turbine? (2) Did drain lines melt when steam was drained out of them? (3) Did the chip silo blow?, and (4) Why isn't the plant putting out full power? He concluded by declaring that the plant should have been thoroughly investigated and that some of the employees who had worked inside of the plant and had expressed dismay to him about the inferior materials used in its construction. He pointed out that had P-L used a union crew, this would not have happened, and the plant would now be operating at full capacity.³²

At this point, Sweet interrupted Haberman and suggested that the latter's complaints were not relevant to the issues involving the school. Schapper agreed, stating,

²⁹ Pedersen, February 24, 1989, op. cit.

³⁰ Pedersen, February 24, 1989, op. cit.

³¹ Pedersen, February 24, 1989, op. cit.

³² Pedersen, February 24, 1989, op. cit.

“We are concerned with educating children. If there is evidence that there is a problem, bring it forward. The letter is not even signed,” (as if that bit of information was relevant). Schapper then gavelled the issue closed and moved onto the next item. This seemed to satisfy most of the small audience of about 20. Haberman, however, was livid and told the press that he was merely relaying what the workers had told him, and that because the OSHA inspectors were not engineers their determination wasn’t necessarily sufficient. “If these people are satisfied by the rhetoric of a company town, they have to live with whatever consequences there are.” Bishop was equally unsatisfied, declaring that the only way she and her fellow Scotians would receive peace of mind was for OSHA to conduct a follow up inspection. “There’s been too many comments made on the negative side for it to all be rumors,” she said. Brian Schapper, however dismissed their concerns simply stating, “I feel it’s safe; I’ve been on a tour,” as if the visual record of one school board official, evidently a Maxxam supporter at that, was somehow more compelling than that of a trained plumber and steamfitter.³³

Haberman’s confirmation of the anonymous letter’s contents was not simply a case of a union official trying to protect his union’s jurisdiction, however. According to another anonymous worker—distinct from the unnamed letter writer—San Rafael based Factory Mutual Engineering, the insurance company originally contracted to underwrite the plant had cancelled their coverage of it in 1986 after their boiler inspector found inferior materials holding vital safety equipment together. The second unnamed source had questioned the inspector at length and the latter had confirmed that, in his opinion, the boiler was unsafe due to faulty parts and shoddy workmanship. *Anderson Valley Advertiser* editor and publisher Bruce Anderson reportedly contacted Factory Mutual Engineering and was informed that the insurance company had indeed cancelled their coverage, but elected not to reveal the reason why. There was certainly smoke, and it suggested a fire.³⁴

* * * * *

The legal battles over Shaw and Lawrence Creek heated up again in March. The Board of Forestry who had been ordered by Judge John Buffington to reexamine the two THPs after he had been “frustrated by a lack of data on wildlife protections and torn between the economic and environmental issues of the case,” which had been brought to his court by EPIC the previous year. The BOF reapproved the THPs declaring that they could find “no significant adverse impact on the environment,” according to executive officer Dean Cromwell. The official did also stipulate that they cited property rights and land-use goals of property zoned for timber management. In response to the Department of Fish and Game’s recommendation that wilderness “corridors” be preserved, the John Campbell argued that such would be “far too costly and not proper management for the long haul,” and that the company was including

³³ Pedersen, February 24, 1989, op. cit.

³⁴ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, February 22, 1989.

wildlife mitigations “anyway,” but didn’t specify exactly what. EPIC attorney Tom Lippe again insisted that the BOF was not following the spirit of Z’berg Nejdley and CEQA, and questioned exactly whose long haul Campbell was considering, indicating that it was evidently not that of the earth’s biosphere. “It’s more likely that old growth dependent wildlife will become extinct,” if the BOF’s ruling was allowed to stand said Lippe.³⁵

Further evidence of Maxxam’s and DBL’s collusion surfaced that same month. Testifying before the House Subcommittee on Oversight and Investigation, Bill Bertain revealed that he had agreed (at the subcommittee’s request) to secretly tape a conversation he had held with attorney John Gibbons on December 19, 1987. Gibbons was a former federal prosecutor who had gone on to work for Kroll Associates, a national investigative agency whose clients included none other than DBL. In the taped conversation, Gibbons implied he was conducting an investigation on behalf of the subcommittee, though “not directly.” According to Bertain, he had four times previously suggested as much, but in actual fact the subcommittee had no knowledge of this, and in all likelihood Gibbons was ferreting out information to try and use to build a defense against the subcommittee. Gibbons refused to testify, arguing that Bertain had recorded the conversation without his knowledge, which was against the law in California. However, since Bertain was assisting the subcommittee in conducting an investigation, federal law, including subcommittee investigations allowing such activity superseded.³⁶ These facts didn’t stop TEAM spokesman Michael J. Eglin from invoking (yet another) witch hunt, demanding that Bertain—whom he accused of being the source behind the ESOP campaign and every other anti-Maxxam effort under the sun—be disbarred. Evidently Eglin had no problem with insider trading and violations of securities laws.³⁷

While Congress and the representatives of Corporate Timber debated over the letter of the law with regards to tape recording conversations, a judge in Oakland dismissed the Sierra Club lawsuit against Pacific Lumber’s proposed Owl Creek THP. Declaring that Sierra Club attorney Joe Brecher had neglected to file his suit within the 90 day comment period allowed under CEQA, visiting Judge Eugene C. Langhauser “reluctantly” dismissed the case in Humboldt County Superior Court. P-L lawyer Jared Carter had expected a dispute over the technicality, but declared, “that’s their problem, not mine right now.” Brecher declined to explain the reason for his initial delay, and appealed the dismissal, which—for the time—protected the grove from cutting for the time being. P-L Forestry manager Robert Stephens declared that the company would begin a “modified selective cut” on the THP as soon as the stay was lifted, and

³⁵ “PL Harvest Plans OK’d Second Time”, by Marie Gravelle, *Eureka Times-Standard*, March 10, 1989.

³⁶ “Eureka Lawyer testifies in PL Takeover Probe”, by Peter Roper, *Eureka Times-Standard*, March 14, 1989.

³⁷ “Bertain Cuts Quite a Figure”, letter to the editor by Michael J. Eglin, *Humboldt Beacon and Fortuna Advance*, April 13, 1988.

indicated that the company was doing the environmentalists a favor because they had “agreed to leave trees (they) didn’t have to leave,” which in this case was 20 percent of the newer growth trees, while the old growth would be cut. Cecilia Gregori didn’t find the forester’s declaration particularly charitable, arguing that the planned logging would devastate critical habitat for the spotted owl, marbled murrelet, and other old growth dependent wildlife.”³⁸

Pacific Lumber had won a legal victory on a technicality. They would win another just two weeks later due to the same Sierra Club attorney’s inability to meet the filing deadline on another THP, this time involving Headwaters Forest. On April 21, Judge William F. Ferroggiaro struck down the lawsuit in Humboldt County Superior Court. Speaking for EPIC, Robert Sutherland lamented, “These are two of our most significant suits, and I’m sorry to lose them, if in fact that’s what’s going to happen, but the significant issues don’t go away just because an attorney made a mistake.” Cecilia Gregori added that the judge retained the ability to overlook the time limits at his discretion, adding, “We feel that a simple mistake of law shouldn’t overrule a case involving the last remaining irreplaceable virgin redwoods.” John Campbell, on the other hand, grumbled that the suits had not been dismissed quickly enough, stating that “timber harvesting has been prevented by court orders for almost six months...the company needs this timber to maintain operations at its mills and jobs for its employees,” never once conceding that none of this would have been necessary had Maxxam not taken over. Brecher filed a motion for reconsideration and indicated that should the motion be denied, the Sierra Club and EPIC would appeal.³⁹ In July, Humboldt County Judge William Ferroggiaro upheld Langhauser’s dismissal.⁴⁰

* * * * *

Meanwhile, Patrick Shannon and the leaders in the ESOP campaign struggled desperately to prevent the air from flowing out of their popped balloon. Attendance at committee meetings had begun to wane. Finally Shannon decided that another big impact gathering like the one that had really launched the campaign the previous September was needed. He called for a meeting to take place in early April at the Fortuna High School Auditorium which, being larger than the banquet room at the Eureka Inn, symbolized his hopes that more than 700 would attend. Shannon also convinced Dr. Louis Kelso to attend and address the crowd as the keynote speaker for inspiration.⁴¹ Shannon declared, “I’m so tired of reading about the emotional debate between the timber industry and environmentalists. This meeting is an attempt to bring the debate into the intellectual arena.”⁴²

³⁸ “Judge Knocks Down Sierra Club Lawsuit”, by Marie Gravelle, *Eureka Times-Standard*, April 7, 1989.

³⁹ “Timber Suit Falls Down”, by Marie Gravelle, *Eureka Times-Standard*, April 23, 1988.

⁴⁰ “Local Judge Upholds Dismissal of Sierra Club Suit”, *Eureka Times-Standard*, July 6, 1989.

⁴¹ “Harris, op. cit., page 267.

⁴² “PL Employees Plan Meeting Wednesday on ESOP Plan”, *Eureka Times-Standard*, April 10, 1989.

However, the event was a debacle. Only 150, including Darryl Cherney, bothered to show.⁴³ Kelso was less than inspiring. Indeed, he nearly bored the audience to sleep. Patrick Shannon jolted them out of their virtual slumber, suggesting that since Maxxam would not sell the company, the ESOP campaign should attempt a partnership with Hurwitz, buying perhaps 30 percent of the company at first with the hopes of someday achieving a 51 percent majority. He also indicated that General Electric had been brought into the “partnership” as well.⁴⁴ To the 150 assembled workers and their allies, including his truest believers, Pete Kayes and Lester Reynolds, Shannon’s idea was utter folly.⁴⁵ To begin with, they’d need to acquire 80 percent of the company according to its articles of incorporation, a fact that Shannon had apparently forgotten.⁴⁶ More to the point, the intrepid workers who had risked their jobs to run the campaign considered the option making a deal with the very devil they hoped to defeat. One retiree declared that it would be “a snowy day in hell before he’d ever make a deal with Charles Hurwitz”.⁴⁷ The crowd erupted in thunderous applause at which point Patrick Shannon lost his composure and called the workers “useless” and “incapable.” The meeting was over, and Hurwitz had won again, but this time he’d barely even fired a proverbial shot.⁴⁸

⁴³ Interview with Darryl Cherney, October 9, 2009.

⁴⁴ “ESOP Still a Fable”, by Wayne Warkentin, *EcoNews*, May 1989.

⁴⁵ “Harris, op. cit., page 267-68.

⁴⁶ “Woody Murphy Wants No Sale”, by Leslie Ridgeway, *Humboldt Beacon and Fortuna Advance*, November 2, 1985.

⁴⁷ “Harris, op. cit., page 268.

⁴⁸ Cherney, op. cit.

16. I Like Spotted Owls...Fried

“Then...Oh! Baby! Oh!

How my business did grow!

Now, chopping one tree at a time was too slow.

“So I quickly invented my Super-Axe-Hacker,
which whacked off four Truffula Trees at one smacker,
We were making Thneeds four times as fast as before,
And that Lorax?...*He* didn’t show up any more.”

—excerpt from *The Lorax*, by Dr. Seuss, 1971

Bill Bailey had a problem. The longtime Laytonville resident owned a logging equipment shop and mail order catalog from there and made hundreds of thousands of dollars per year, but for him that certainly wasn’t a problem.¹ It wasn’t a lack of connections that plagued him. His wife Judith Bailey was the sister of Becky Harwood, who was married to young Art Harwood, whose father ran a profitable, local sawmill in nearby Branscomb.² It wasn’t a lack of wealth. Bill Bailey claimed to be just another working stiff, but this description was betrayed by the fact that he owned expensive furniture and several luxury cars, including a \$50,000 Jaguar and a \$100,000 Morgan.³ It wasn’t even a matter of political perspective. Bailey had presented himself as conservative, but had been successfully pegged as one of the financial backers of recently exposed neo-Nazi and Mendocino supervisorial candidate, Jack Azevedo.⁴ Bailey took a lot of heat for backing him, but refused to back down, even after being exposed as supporting the reactionary would-be candidate in the local press, but Bailey didn’t even *that* as a problem.⁵ No, indeed, Bill Bailey had a *real* problem. It seems that in April of 1989, Bailey’s eight-year-old son, Sam, had recently come home from school one day and told his father that, “when loggers fall trees they are taking away the little animals’ homes, and they can’t live.”⁶ *That*, for Bill Bailey was a *huge* problem.

¹ “Under the Barnum and (Bill) Bailey Big Top: The Mayor of Laytonville”, by Lawrence Livermore, *Anderson Valley Advertiser*, August 23, 1989.

² “Laytonville Supports Dr. Seuss Book”, *Willits News*, September 15, 1989.

³ Livermore, August 23, 1989, op. cit.

⁴ “Bill Bailey and Harwoods Sound the Alarm: Red Alert in Laytonville”, by Lawrence Livermore, *Anderson Valley Advertiser*, May 24, 1989.

⁵ Livermore, August 23, 1989, op. cit. (Apparently Bailey stubbornly refused to back down, because he was determined to prove that “he couldn’t be swayed by the likes of Bruce Anderson.”)

⁶ Livermore, May 24, 1989, op. cit.

What had happened, apparently, was that one of Sam Bailey's schoolmates had brought a Darryl Cherney tape to class one day, and because it was raining and recess had been cancelled, the teacher allowed the schoolmate to play one, and only one song from the tape.⁷ Later, however, it was also discovered that Sam had been influenced by a teacher's reading of the Dr. Seuss book, *The Lorax*.⁸ The book was, in fact, already eighteen years old by this time, and it featured a colorful villain known as "The Once-ler", who cuts down all of the "Truffula" trees in order to obtain the materials necessary to produce "Thneeds". The "Lorax" is the representative of all of the creatures in the Truffula forest whose homes are being destroyed by the Once-ler's greed, but the Once-ler is unrepentant and he destroys the forest. In the end, the Once-ler having realized the consequences of his actions and learning that the Lorax was correct, urges everyone else to heed the Lorax's warning.⁹ The book, published in 1971 (and made into a movie by Universal Pictures in 2012), almost ten years before the founding of Earth First!, and certainly well before Sam Bailey was even born, turned out to be quite prescient, and The Once-ler bore more than a passing resemblance to Bill Bailey.¹⁰ Indeed, the "Once-ler of Laytonville" had a problem, and he was determined to do something about it.

Rather than consider the possibility that there just *might* have been a lot of wisdom in that children's book, Bill Bailey decided to fight back against those who would "unfairly" paint him as a living, breathing Once-ler. First, following the path set by TEAM and WECARE, he and the Harwoods took out full-page paid advertisements in the *Mendocino County Observer* and other local publications to proclaim the virtues of "timber harvesting" and the "wood products industry". Harwood's full page ad was titled, "An Open Letter to [Laytonville School Superintendent] Brian Buckley", and was signed by 300 Harwood employees. It stated "We request the Laytonville Schools start showing respect to the community and the forest products industry that we deserve."¹¹

The Harwoods' alignment with Bailey was somewhat surprising, given the fact that they were one of the more worker friendly, ecologically sustainable employers in the area, but they were related by marriage to Bailey, and Bailey almost literally ran Laytonville as his own fiefdom. His method of choice was philanthropy, but when he couldn't buy respect, he would bully his way into getting what he wanted. Bailey's own advertisements were much more blunt; they made backhanded criticisms of Brian Buckley; they declared that Earth First! (which had no direct connection to *The Lorax* whatsoever) was "a terrorist organization"; and they also proclaimed in screaming bold

⁷ Livermore, May 24, 1989, op. cit.

⁸ "Holding Back the Forces of Darkness: The Laytonville Lorax Wars", by Lawrence Livermore, *Anderson Valley Advertiser*, October 11, 1989.

⁹ Dr Seuss, *The Lorax*, New York, NY, Random House, 1971

¹⁰ "Bill Bailey vs. The Lorax: The Once-ler of Laytonville", by Lawrence Livermore, *Laytonville Lookout*, #34, Winter 1990.

¹¹ Livermore, May 24, 1989, op. cit.

type, **“SOME OF OUR TEACHERS NEED GUIDENCE, NOW!”**¹² Frank Sanderson, Harwood company spokesperson attempted to give a presentation on the virtues of the local timber industry in the school, (at the school’s invitation), the students found his presentation to be less than inspiring. This only made Bill Bailey angrier.¹³

So Bailey escalated his attacks on his perceived enemies. He devised a symbol, called the “Woodsman Coat of Arms”, which depicted a crossed saw and axes, two muscular arms surrounding a baby fir tree, adorned with the slogans “People in Unison with Nature” and “Reforestation – Professionalism – Harvesting.” The symbol was intended to “help unify those who are “resisting the radical preservationists.” Several observers noted, however, that the symbol bore an uncomfortable resemblance to a Nazi swastika, and most Laytonville residents scoffed at Bailey’s attempt to use symbolism to divide and conquer.¹⁴ One anonymous satirist responded by creating a knockoff of the symbol, “Woodsman’s Cut Off Arms”, which depicted the tree lying on its side after having been cut, and blood on the axes and saw.¹⁵

Bailey was not at all amused, but, being as influential as he was, he was able to convince the nominally progressive *Mendocino Coast Observer* to feature a regular, weekly “guest editorial”, written by him. In it Bailey excoriated the *Observer*’s own “bored or the unemployed or unemployable” who “call themselves writers” and denounced those who didn’t share his views as not being “real Laytonvillians”. He attempted to sway opinions by sending every resident in the small, northern Mendocino County town a personal form letter “from Bill and Judith”, printed on Bailey company stationary, complete with the Coat of Arms, denouncing “radical preservationists” and “professional protesters”. Also enclosed were two copies of a petition instructing the BLM to approve timber sales (such as those in the Cahto Wilderness Area) without delay, and a self-addressed stamped envelope. Most residents declined to return the petition, and residents joked about sending Bailey drug tests, roadkill, or simply reusing the envelopes for their own needs.¹⁶ Evidently there just weren’t enough “real Laytonvillians” willing to kowtow to Corporate Timber’s thought control.

* * * * *

The controversy was much wider and deeper than Bill Bailey’s ego, however; it was a microcosm of the growing battle over the status of the Northern Spotted Owl. The two pound bird was already managed as a “sensitive” (one step below “threatened”) species by the United States Forest Service (USFS), but environmentalists had argued

¹² Emphasis in the original.

¹³ Livermore, May 24, 1989, op. cit.

¹⁴ Livermore, May 24, 1989, op. cit.

¹⁵ Livermore, August 23, 1989, op. cit. Livermore joked, “As is well known, environmentalists are not allowed to have jobs, and among those few environmentalist women who are not lesbians, abortions are mandatory.”

¹⁶ Livermore, August 23, 1989, op. cit.

for years that it should be listed as “endangered”.¹⁷ By 1988, only 1,500 pairs of the bird were said to exist and it was determined that it depended on the existence of the old growth forest habitat for its survival—habitat that was disappearing fast at a rate of 60,000 acres annually. A mere 3,000,000 acres of such habitat had been estimated to still exist—according to USFS reports at any rate—but according to environmentalists, even those numbers were likely overoptimistic.¹⁸

Efforts by environmentalists to convince the federal government to merely list the owl as a *threatened* species had been complex and often frustrating. In 1984, National Wildlife Federation appealed the Forest Service Regional Guide for Region 6 (the Pacific Northwest) over the status of the owl. The appeal went all the way to then Assistant Secretary of Agriculture Douglas McCleary, a Reagan appointee who (as was to be expected) had very close ties with Corporate Timber. McCleary decided that the agency would have to do an environmental impact statement on the Spotted Owl, but that all other points in the appeal would be dropped. Then, in 1987, the US Fish and Wildlife Service refused to list the Spotted Owl as Threatened or Endangered.¹⁹

In response, two things happened independently of each other. First, the Sierra Club Legal Defense Fund (SCLDF) filed suit against the FWS on behalf of at least 25 environmental groups.²⁰ These included the Sierra Club, Audubon Society, and the Oregon Natural Resources Council (ONRC) as well as numerous local environmental groups, including the North Coast Environmental Center. The plaintiffs charged that the FWS had buckled under to pressure from Corporate Timber.²¹ Adding weight to their contentions, a leading spotted owl researcher declared, “All the evidence points to the fact that the species is at least threatened, if not endangered.”²² Even an unreleased Bureau of Land Management report supported this conclusion.²³

Meanwhile, Congress’s General Accounting Office, at the request of a House committee, opened an investigation of the agency. Evidently the FWS’s negligence on the issue was so blatant that in November of 1988, Judge Thomas Zilly, a Reagan appointee to the Seattle Circuit Court, ruled that the FWS had been ‘arbitrary and capricious’ in their decision to not list the species. No biologist—including the agency’s own experts—had agreed with the decision to not list.²⁴ According to Zilly’s ruling, the FWS had 90 days to either list the owl as endangered or provide sufficient cause for not listing it as such.²⁵ One month later, the USFS Chief finally signed a Record of

¹⁷ “Judge favors Owls and Old Growth”, by Tim McKay, *EcoNews*, December 1988.

¹⁸ “Owl Saves Old Growth”, by Tim McKay, *EcoNews*, May 1989.

¹⁹ “Old Growth vs. Old Mindsets”, by Mitch Freedman, *Earth First! Journal*, Beltane / May 1, 1989.

²⁰ “Spotted Owl Controversy Heats Up in Northwest”, by Thomas Johnson, *Humboldt Beacon and Fortuna Advance*, July 6, 1988.

²¹ “Whoo’s In Court”, *EcoNews*, June 1988.

²² “Owl On its Own”, *EcoNews*, January 1988.

²³ McKay, May 1989, *op. cit.*

²⁴ Freedman, May 1, 1989, *op. cit.*

²⁵ “Judge favors Owls and Old Growth”, by Tim McKay, *EcoNews*, December 1988.

Decision on the Spotted Owl EIS and claimed that it was changing its position.²⁶ In a news release, Marvin L Plenert, director of the FWS region headquarters in Portland, Oregon declared:

“In light of our analysis of the new data that we have reviewed since the first status review was performed, we believe a threatened classification for the northern spotted owl is the most accurate judgment that currently can be made about the species and the threats that it faces.”²⁷

However, examination of the USFS’s apparent reversal revealed that even this was still mostly just smoke and mirrors designed to deflect the fact that the agency was still very much marching to the beat of Corporate Timber’s drum. What the agency was *actually* agreeing to protect amounted to a mere nine percent of the spotted owl’s rapidly disappearing habitat in Oregon and Washington.²⁸ The agency had adopted a strategy of maintaining the owl’s “minimum viable population” (an obvious attempt to place the economic needs of capital ahead of the long term viability of the species). The environmental groups appealed the decision submitting numerous scientific studies, including affidavits from some of the world’s premier conservation biologists (with degrees from Cornell, Harvard, Oxford, Stanford, and the University of California at Berkeley) arguing that the USFS’s strategy was based on junk science and that any further significant reductions in the owl’s population could cause the entire species’ population to crash.²⁹

One month later, US District Judge William Dwyer ruled in favor of the environmentalists halting almost 20 percent of the timber sales in 13 National Forests in Oregon and Washington until May 15, 1989.³⁰ The following week, fellow US District Judge Helen Frye ruled that, “destruction of owl habitat without compliance with the law is a significant and irreparable injury...Old-growth forests are lost for generations and no amount of monetary compensation can replace the loss.” Finally, then-President Bush’s Secretary of the Interior, Manuel Lujan announced that he would support the decision to protect the owl, though he gave no specifics on how he would do so.³¹ The decision temporarily halted timber sales on public land in an area covering at least 100,000 acres in northwestern California, including Klamath, Mendocino, Shasta-Trinity, and Six Rivers National Forests, as well as Redwood and Point Reyes National Parks. Additionally, some 8,000 acres of privately owned forestland in California was likewise affected.³² The temporary halt issued on behalf of the Spotted Owl gave far more weight to the possibility that environmentalists might file even more lawsuits.

²⁶ Freedman, May 1, 1989, op. cit.

²⁷ Johnson, July 6, 1988, op. cit.

²⁸ “Spotted Owl: 9% Solution”, by Tim McKay, *EcoNews*, January 1989.

²⁹ “Experts Speak Up for Northern Spotted Owl”, by Tim McKay, *EcoNews*, March 1989.

³⁰ “Bench Likes Owl; Industry Hoots”, by Tim McKay, *EcoNews*, April 1989.

³¹ McKay, May 1989, op. cit.

³² Johnson, July 6, 1988, op. cit.

Corporate Timber's reaction to the decision was, naturally, one of consternation. They cried "foul", declared that the USFWS reversal on the status of the owl was "politically motivated" (in spite of the fact that the courts had ruled that the agency's initial contrary decision *not* to list it as threatened or endangered had been).³³ They then regurgitated the same talking points trotted out the previous year when Jerry Partain had denied the three THPs contested by EPIC and Judge Buffington had granted the environmentalists a TRO against Maxxam's attempts to log All Species Grove.

They claimed that the environmental studies underestimated the number of owls. They would often cite, as proof, anecdotal account after anecdotal account that other studies (usually carried out by the industry itself, in a very short span of two months or less), found hundreds, if not thousands of pairs of owls living in second growth forests. For example, in a paid advertisement, Pacific Lumber management argued that they had conducted their own study of spotted owl populations in its young growth timberlands, and that they had found that a large number of owls were capable of living and reproducing there, in contrast with the environmentalists' supposed argument that such birds could only live and reproduce in old growth forests.³⁴ Pacific Lumber also made a video trying to create the visual impression of this phenomena as well.³⁵ Shep Tucker indicated that Louisiana Pacific had hired a wildlife biologist to conduct a similar survey.³⁶ Indeed, this argument was repeated ad nauseum, but it was quite distant from the truth.³⁷

To begin with, the timber industry's own studies could not be taken as scientific, because there was an inherent conflict of interest in policing oneself. The results of many of their "studies" proved to be heavily biased in favor of maintaining the same level of timber harvesting, if not increasing it, and were based on extremely flawed methodology. The technique used for determining the presence of the owls consisted of listening to responses from (unseen) live owls responding to recorded owl calls.³⁸ This approach, described as "self-serving pseudoscience" by ONRC member Andy Kerr, vastly overestimated the industry's findings.³⁹ Corporate Timber's assertion that owls were found in "managed forests" was spotty itself. For example, in the case of Pacific Lumber's claims of finding owls among its second growth woods, there was old growth

³³ "Timber Reps Express Concern", by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, July 27, 1989;

³⁴ "Do Owls Live in the Forest? They Do in Ours!", paid advertisement by the Pacific Lumber Company, *Humboldt Beacon and Fortuna Advance*, September 71, 1989.

³⁵ "Timber Reps Express Concern", by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, July 27, 1989

³⁶ Johnson, July 6, 1988, op. cit.

³⁷ "Proposal Example of Extremists", editorial, *Humboldt Beacon and Fortuna Advance*, August 10, 1988; "Spotted Owl Myth vs. Reality", editorial by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 10, 1988.

³⁸ "Who's the Prey?", by Tim McKay, *EcoNews*, September 1989.

³⁹ "Who Knows Where Owls Are?", by Tim McKay, *EcoNews*, January 1990.

nearby, albeit increasingly smaller and smaller patches. Furthermore, it was assumed that P-L's second growth continued much residual old growth.⁴⁰ Even if spotted owl pairs *were* actually being found in second growth groves, it was more an indicator of their immediate adaptation to increasingly adverse conditions—primarily the loss of old growth habitat—than the long term viability of their species. Either way, without immediate action, the owl's population would almost certainly crash.

Corporate Timber (once again) predicted the loss of 10,000s of jobs ultimately leading to the economic collapse of the entire Pacific Northwest. USFS chief Dale Robertson identified the decision on the owl as the reason for blocking 1.5 bbf of timber sales, approximately one seventh of its annual sale volume at the time.⁴¹ James Gessinger of the Northwest Forestry Association argued that the timing of the injunction would create a “very, very ugly fall and winter” for the timber dependent communities within his region.⁴² Speaking for Pacific Lumber, David Galitz opined:

“We’re managing our land for the lumber production, while giving consideration to wildlife. The courts seem confused. It is having a dramatic impact on those of us operating on private land. (Environmental) groups are going into court. The court’s saying, ‘We don’t know, so let’s hold (the sales) up.’ What they’re doing is delaying the process. That means jobs. In order to protect those jobs, we’re going on lands we preferred not to go on this soon.”⁴³

Speaking for Louisiana Pacific, which relied on timber harvested from federal land for approximately ten percent of its revenue, Shep Tucker declared:

“It’s really put the national forests on hold. Everybody’s afraid to do anything. (There is a) fear of lawsuits and a lack of information (regarding the spotted owl). This adds to the cost of purchasing timber. In the worst-case scenario when things get tight, you start to lay off shifts.”⁴⁴

P-L’s David Galitz offered similarly gloomy projections, stating,

“We have no projection for a decrease (in harvesting). But we have concerns that may eventually happen—that’s going to mean jobs. It (could) have negative impacts on timber supply, and that would mean higher priced timber and homes, and it usually means jobs. I question whether (those who would limit old growth harvesting) realize the significance and the havoc it would have here on the North Coast. It (would) mean very substantial job

⁴⁰ “Experts Speak Up for Northern Spotted Owl”, by Tim McKay, *EcoNews*, March 1989.

⁴¹ Johnson, July 6, 1988, op. cit.

⁴² McKay, April 1989, op. cit.

⁴³ Johnson, July 6, 1988, op. cit.

⁴⁴ Johnson, July 6, 1988, op. cit.

losses throughout the industry. We've only got one young-growth mill, the one in Fortuna."⁴⁵

Related to this concern was the potential for the number of set asides for spotted owls to increase as more owls were discovered. P-L representative and TEAM spokesperson Dennis Wood declared that because of this uncertainty, the impact of a moratorium could be far worse than the expansion of Redwood National Park.⁴⁶ What Wood had failed to admit, however, is that the job losses due to RNP's expansion—if any—were negligible, in spite of Corporate Timber's warnings that economic Armageddon would result.⁴⁷ There was no reason to think that the same held true if the spotted owl was declared endangered, and thus far, no peer reviewed studies had been conducted one way or the other.

A related talking point was that the listing of the owl as threatened would result in increased cutting, because if public timber was declared off-limits to logging, there would be more pressure to log on private land, although this was more of a threat than a warning. For example, Don Nolan Sr., declared, "If the old growth is removed from harvesting, private companies may have to turn to cutting forests intended to be managed on a sustained-yield basis. The cuts will be too soon."⁴⁸

Representing Eel Rivers Sawmills, which depended upon timber logged from federal lands for forty percent of its income, vice-president Dennis Scott pessimistically opined:

"We're not disputing that the habitat (of the spotted owl) will be disturbed, but you've got to cut the tree to replant the tree. I don't think you can go back to the clearcut days either. I think this will end with a compromise, but that takes time in the system...The question is, 'Will there be any mills left?' It would be very difficult if the volume (of timber) was shut down."⁴⁹

Left unspoken was the fact that such increases were only necessary to meet the demands of the Corporate Timber bottom line which could have been eliminated by a whole scale reprioritization of timber harvesting priorities towards need rather than profit. In spite of these dire forecasts, throughout the industry, timber corporations were recording record profits to their stockholders.⁵⁰ All of the alleged job losses that might actually occur from logging limitations imposed to protect the owl could easily be offset by curtailing raw log exports.⁵¹

⁴⁵ Johnson, July 6, 1988, op. cit. 12.0pt; Evidently, retooling the Pacific Lumber company for a return to its pre-Maxxam harvesting levels was out of the question, as far as Galitz was concerned.

⁴⁶ Simmons, July 27, 1988, op. cit.

⁴⁷ "Timber Outlook", by Bob Martel, *Country Activist*, June 1988.

⁴⁸ Simmons, July 27, 1988, op. cit.

⁴⁹ Johnson, July 6, 1988, op. cit.

⁵⁰ McKay, April 1989, op. cit.

⁵¹ McKay, May 1989, op. cit.

At the same time, Corporate Timber was, as usual, declaring that there was plenty of old growth forests protected (or “locked away” in their more candid expressions of their prevailing opinions on the subject) in parks, and other public lands.⁵² There were numerous problems with that argument, however, not the least of which was that environmentalists and not too few biologists disputed the appropriateness of the adjective “plenty”. With less than five percent of the ancient forests still remaining, “plenty” was a rather dubious description. However, even within the context of what remained, it wasn’t entirely clear that the actual standing timber matched the known figures. In discussing the controversy over the spotted owl, Earth First!er Mitch Friedman explained:

“‘Old growth’ is a troublesome term. Rarely is it clear to what people are referring when they say ‘old growth,’ or worse, and more recently, ‘ancient forest.’ The FS set up an ‘old growth definition task force’ to finally define it. The task force published its findings in 1986, yet the FS, even in forest plans released after that year, failed to use its definition. The FS instead left each National Forest to provide its own meaning, generally based on timber inventory data, such as ‘largesaw timber’ (greater than 21 inch diameter at breast height [dbh]). Moreover, there has been no formal effort to define ‘old growth’ for forests in the eastern two-thirds of Washington and Oregon.

“This isn’t just a matter of semantics. It’s the difference between millions of acres of natural growth (never logged, though perhaps otherwise disturbed), and about 350,000 acres of classic old growth (contains several trees over 40’ dbh per acre). A recent report published by The Wilderness Society found that the FS had, through inconsistent definitions and old data (disregarding recent logging), overestimated existing old growth by as much as 125 percent. Furthermore, most of what’s left is high elevation and/or heavily fragmented. The Wilderness Society report estimated a total of 1.2 million acres of old growth on the six National Forests in the Pacific Northwest that contain the bulk of the remaining stands. Most of this is fragmented beyond usefulness as old growth habitat.

“In a 1988 appropriations bill, Congress instructed the Forest Service to find its old growth. But we won’t have the benefit of that information for a couple years, and our protection efforts must happen now. To maintain a viable ancient forest ecosystem will require more than just saving the majestic big trees; we must save all unfragmented mature stands, and restore those degraded, to achieve a matrix of habitat capable of supporting populations of old growth dependent species in perpetuity. This will be difficult, not knowing where the forest stands are.”⁵³

⁵² Editorial and Simmons, August 10, 1989, op. cit.

⁵³ Friedman, May 1, 1989, op. cit.

Management of public forestlands in California didn't exactly inspire confidence among the environmentalists in any case. The state's region of the USFS was required to maintain a "viable population" of spotted owls by establishing networks of Spotted Owl Habitat Areas (SOHAs) for each pair of owls throughout its forestlands. Each SOHA was to be approximately 1,000 acres in size (though many environmentalists considered that number too small for the sustainability of the owl), and each was required to include a 3,000 acre old growth "core area" and at least 650 acres of suitable replacement habitat within 1.5 miles of the nest. According to the Marble Mountain Audubon Society, a review of the SOHA network in the Klamath National Forest revealed that out of 83 such SOHAs in that forest's 92-territory "interim network," *all but one* had no management plan in place at all, and the one that did needed substantial revision. So, in other words, the USFS wasn't even meeting its own established standards, such as they were, for maintaining the owl to begin with.⁵⁴

Contradicting all of the facts, Corporate Timber continued to assert that the environmentalists cared about the fate of the lowly owl more than they did about the supposedly threatened timber workers' jobs and by extension the rural "way of life."⁵⁵ This was due to the misunderstood status of the Northern Spotted Owl as an "indicator species." Indicator Species were specific animals or plants found in a given habitat which gave an easily accessible and fairly accurate reading on the viability of populations of other interrelated flora and fauna of a given ecosystem. If the owls were flourishing *in their native habitat* (meaning *old growth* conifer forests in California, Oregon, and Washington), then their native habitat was viable and well protected. On the other hand, if the owl was threatened, or if much of its population was seeking surroundings other than its native habitat—which it certainly seemed to be, given the insistence by Corporate Timber that owls were plentiful in *second growth* forests, then that was an indicator that *other* species *also* found in the owl's native habitat were *likewise* endangered, and quite possibly the habitat *itself* was endangered.⁵⁶ Wendell Wood, of the ONRC elaborated, "The northern spotted owl is like a canary in a coal mine. The fact that it is in danger of extinction tells us that something is seriously wrong with the management of our forests."⁵⁷ Most ironically of all, it was the USFS itself that had chosen the owl to be the indicator species *in the first place*.⁵⁸

In no case did environmentalists or scientists wax gleeful about the potential loss of timber jobs. For example, on the matter of balance between economic and environmental concerns Humboldt State University wildlife management professor Rocky Gutierrez declared:

⁵⁴ "Management is Spotty", *EcoNews*, June 1989.

⁵⁵ Editorial and Simmons, August 10, 1989, op. cit.

⁵⁶ "Who Gives a Hoot for Spotted Owl?", by Nancy Boukton and Tim McKay, *EcoNews*, November 1986.

⁵⁷ "Whoo's In Court", *EcoNews*, June 1988.

⁵⁸ Boukton and McKay, November 1986, op. cit.

“I am concerned about the livelihood of people. The timber industry may be affected (But) we (scientists) are trying to do what is objective—that is the essence of science. The spotted owl represents the integrity of the ecosystem. If they (become) extinct, that represents an imbalance of the ecosystem. It becomes all of our problem. Being a scientist, it is very shocking to see an animal pushed to the verge of extinction knowingly.”⁵⁹

All of the Corporate Timber talking heads who were howling mad about the owl had been deafeningly silent about the fact that 90% of the timber jobs had *already* been lost since their historic high in the 1950s. These jobs disappeared due to economic practices enacted by Corporate Timber for the sake of their bottom line, including automation, raw log exports, union busting, outsourcing, and over cutting. When environmentalists had promoted timber harvesting practices that would have saved jobs or even increased them, such as manual release instead of aerial herbicide spray, Corporate Timber, their spokespeople, and front groups said nothing, other than to declare such ideas as nothing more than “pie in the sky”. Meanwhile, there was no way to conclusively prove that the listing of the spotted owl would cost anywhere near the number of jobs Corporate Timber said it would, especially given the fact that none of the studies they commissioned were peer reviewed. Finally, environmentalists had been arguing for years that business as usual left unchecked would ultimately result in the long term elimination of timber jobs anyway, because any timber harvesting that wasn’t done at a strictly sustainable rate, where logging didn’t result in the depletion of inventory was going to result in the loss of jobs independent of automation, exports, and outsourcing.

The opposition to the Spotted Owl’s listing came from Corporate Timber and much of the opposition was organized front groups speaking on their behalf. In the Pacific Northwest, an organized campaign under a umbrella group called the “Oregon Project”, involving lobbyists, chambers of commerce, timber dependent local governments, gyppo operators, and the officialdom of what few organized timber unions took the lead in whipping up mass hysteria in response to the potential listing of the bird, however this was but the tip of the iceberg.⁶⁰ In March, Corporate Timber representatives from across the United States and Canada met in Williamsburg, Virginia to organize opposition to environmental efforts and established a \$10.5 million campaign chest for that purpose.⁶¹ One Oregon legislator proposed paying a \$500 bounty for the capture of live owls for the purpose of relocating them to releasing them in designated wilderness areas or state game farms. Oregon State Senator Peg Jolin went one step further declaring that the only appropriate habitat for the maligned bird was “in a logger’s frying pan”.⁶²

⁵⁹ Johnson, July 6, 1988, op. cit.

⁶⁰ “Owl Scapegoated While Habitat Disappears”, by Tim McKay, *EcoNews*, June 1989.

⁶¹ McKay, April 1989, op. cit.

⁶² McKay, May 1989, op. cit.

The situation had become so volatile that it made it increasingly difficult for federal legislators to enact protections for the old growth redwoods on the North Coast. While the storm clouds gathered for what was sure to be open warfare over the owl, forty three US congressmen, including seven Republicans, and 24 of whom represented districts in 19 states other than California signed a letter asking the Board of Forestry to adopt protective measures, including imposing an immediate moratorium on the cutting of historic stands of old growth redwoods, regardless of their acreage; beginning a check of the remaining redwood forests to determine to what degree plants and wildlife depended upon them; ensuring a means to mitigate the impact of timber harvesting on flora and fauna therein; and establishing a public appeals process (beyond the existing demonstrably limited and faulty THP review process) allowing for public oversight.⁶³ The BOF rejected the proposal, arguing that sufficient protections already existed or were in the process of being enacted, and repeated the familiar Corporate Timber talking point that “there were plenty of old growth redwoods already protected in parks.”⁶⁴ If WECARE and its ilk weren’t writing the script for the BOF, they may as well have been, The Lorax and Spotted Owls be damned.

* * * * *

Such political currents no doubt influenced Bill Bailey’s thinking. Lorax or spotted owl, he wasn’t going to give up. While he may not have enjoyed much support among his fellow Laytonville residents or rank and file timber workers, he could always count on TEAM and WECARE to invent the appearance that there were, and write scores of letters to the editor of local publications about communists hiding in the school library or “unwashed-out-of-town- jobless-hippies-on-drugs” controlling the minds of the Laytonville teachers. Behind the Redwood Curtain, Corporate Timber and those small “petit bourgeois” businessmen (like Bailey) who rode the gravy train considered any threat to their absolute power reason to convene a witch hunt. However such corporate backed vigilante mobs tended to be more subtle and nuanced than those that organized the witch hunts of old. Prudently compartmentalizing the Corporate Timber fronts, those specifically concerned about the presence of such “dangerously subversive” “godless communist” children’s books like *The Lorax* formed a new group with a wholesome sounding name to appear separate from TEAM and WECARE. This new organization was called “Mothers’ Watch”.⁶⁵

Meanwhile, Corporate Timber organized its backlash against the listing of the Spotted Owl—even though he decision was not likely for at least another year—in the form of more manufactured dissent. The FWS planned four public hearings to receive evidence and testimony on the issue. These would take place on August 14 in Portland; August 17, in Redding, California; August 21 in Olympia, Washington; and August 26

⁶³ “Lawmakers Seek Ban on Cutting of Old Growth Redwoods”, by Jeff Peline, *San Francisco Chronicle*, June 28, 1989. Doug Bosco proudly trumpeted the fact that he had refused to sign the letter.

⁶⁴ “Forestry Board Rejects Redwood-Cutting Ban”, by Jeff Peline, *San Francisco Chronicle*, July 19, 1989.

⁶⁵ “Mothers’ Watch Works”, letter to the editor by Diana Mendes, *Willits News*, August 29, 1990.

in Eugene, Oregon. David Galitz made it clear that Corporate Timber would be fully represented, declaring, “I expect the lumber products industry to show up in force.”⁶⁶ No doubt they would. There were literally thousands of Bill Bailey-esque “Once-lers” in the Pacific Northwest alone, and Corporate Timber was only too happy to whip them up into a vigilante mob.

⁶⁶ Johnson, July 6, 1988, *op. cit.*

17. Logging to Infinity

Observing the frequent loading of logs on ships, during daily drives past Fields Landing several years ago, aroused in me a strong curiosity about the ex-ported of logs. At the same time as I was so frequently driving past this docking facility, the expansion of Redwood National Park, and its potential impact on the local lumber mills, was a very big news item and the controversy was evident everywhere in the community. Why, I asked, are these logs being exported, in their raw resource form, from an area where steady employment is already a problem and, if the dire forecasts about the (Redwood) Park expansion are to be believed, there will be a much greater problem in the future? As I raised this question with a wide variety of people over the ensuing months and years, I concluded that the average citizens of Humboldt County has very little understanding of the log exporting matter.

—Edie Butler, *Hard Times*, February 1983

*Way up high in the redwood giants,
Darryl Cherney sits alone,
He is callin' 60 Minutes,
From his treetop telephone.*

—lyrics excerpted from *Darryl Cherney's on a Journey*, by Mike Roselle and Claire Greensfelder

Earth First! and IWW made every effort to confront the real problems faced by the would-be “once-lers” on the North Coast. They began by organizing a “No Exports Flotilla” on Tuesday, May 23, 1989 at noon at the Fields Landing Dock two miles south of Eureka.¹ About four dozen demonstrators, some of them on boats and the rest on land assembled near the rally site, braving high winds and even some rain.² The boaters, including Darryl Cherney and Larry Evans, calling themselves the “Guerilla Flotilla”, struggled against a strong ebb tide while a coast guard patrol skiff hovered nearby ostensibly for the demonstrators’ safety. Meanwhile the demonstrators on land, including Judi Bari, marched until they met the flotilla where the latter finally landed.

¹ “Earth First! to Protest Log Exports”, press release, *Anderson Valley Advertiser*, May 24, 1989 and *The Mendocino Commentary*, May 25, 1989.

² “Rain-soaked Protesters Decry Log Exports”, by Marie Gravelle, *Eureka Times-Standard*, May 24, 1989.

Demonstrators held a large orange banner which read, “Stop Exporting Our Future!” and another white banner which declared, “Log Exports = Closed Mills.”³ Beach balls labeled “jobs”, “old growth”, and “the future” floated away illustrating the message.⁴ The three network TV affiliates serving Humboldt County covered the event and their coverage was relatively favorable.

There, Darryl Cherney declared, “Earth First!’s ban on log exports campaign is one manner in which we can show common ground with the timber workers. Whole log exports clearly harm both the ecology and economy of this region.”⁵ Judi Bari added:

“A lot of people blame environmentalists for the mill closures, (but) we’re here to point out that one quarter of the whole logs that are cut (from the Pacific Northwest) are being shipped overseas to Japan. This is where a lot of the jobs are going, and not only are they depleting the forests, but they’re also depleting the mill workers’ livelihoods.”⁶

Larry Evans emphasized that log exports cost the Pacific Northwest as many as 15,000 jobs annually. He further argued, “While that’s happening, the environmental movement is getting a lot of flak for ‘taking jobs away’ through protecting habitat and ecosystems which is in fact something that we all depend on. So basically we feel that exporting these jobs is a profit, greedhead scam.”⁷ John Boak accused the demonstrators of “showboating”, and “trying to take credit for the idea,” as if he had somehow thought of it himself. He and Candy could only sit and watch nearby fuming, because there was little in the message critical of log exports they could use to feed into the stereotype of “unwashed-out-of-town-jobless-hippies-on-drugs.”⁸ Neither WE CARE nor TEAM had anything to say about raw log exports either, nor could they. These organizations took their marching orders from Corporate Timber, who favored exports.

Although it was not a direct target of the protest, as the log export issue was more than just the work of one company, the demonstration ended up near Allen and Finn Exports which was then owned by none other than Woody Murphy. Although he had largely stayed out of the escalating timber wars, except to continue his legal battle against Maxxam, the former Pacific Lumber scion quickly revealed that he had a touch of the Once-ler in himself as well. Humboldt Sheriff’s deputies had already barred protesters from entering the property, but Woody—no doubt perplexed and insulted that Earth First! would target *him* of all people—came charging down to the beach, demanding that the protesters be arrested. When one of the protesters, a woman, not knowing who he was, accused him of exploiting the forests, Murphy lost

³ Channel 6 KVIQ TV News Report, May 23, 1989.

⁴ Gravelle, May 24, 1989, op. cit.

⁵ Channel 6 KVIQ TV News Report, May 23, 1989.

⁶ Channel 7-12 KAEF TV News Report, May 23, 1989.

⁷ Channel 3 KIEM TV News Report, May 23, 1989.

⁸ Gravelle, May 24, 1989, op. cit.

his temper, called the woman “the dumbest b—— he’d met in his life,” and threatened to arrest the demonstrators himself if they didn’t leave his property. The sheriffs deputies intervened and informed Murphy that they had kept the demonstrators on the public side of the property line and that he’d better calm down or they’d arrest him.⁹

Murphy was not the primary target of the demonstrators however (indeed, many Earth First!ers had indirectly supported Murphy’s efforts to fight Hurwitz’s takeover of Maxxam), but the Corporate Media reporters nevertheless sought out his opinions as if he were the key spokesman for the opposition. In front of the TV cameras, Woody was relatively charitable in response to the demonstrators, publically claiming to support their right to protest on public land, including the beach, but, of course, not his property.¹⁰ He also claimed he was “having a good laugh about it now,” but he also questioned the 15,000 job figure, however, declaring that his business was a job creator, not a destroyer (eerily echoing the words of his enemy, Charles Hurwitz)¹¹, and pointing out that less than two percent of the logs handled in Humboldt County in 1988 had been exported¹² (perhaps not realizing that Earth First! was, in fact, describing a situation that affected the *entire* Pacific Northwest).¹³ He argued that most of the logs handled by his business were traded locally, but businesses had a right to trade their logs for the highest bidder and sometimes that was the non-US buyers.¹⁴

In Murphy’s defense, he was, at worst, a small time Once-ler. This was not the case for Harry Merlo and his spokespeople, including Shep Tucker, who had no such excuses. On TV news, Tucker offered his carefully scripted opinion which was to argue that a ban on log exports could hurt small logging businesses and tree farmers, and to add, “They need a healthy economy and a market place to sell timber into, and I don’t see Earth First! taking the time to make those investments. It’s really easy to be against something, but it’s real hard to come up with solutions and be for something.”¹⁵ Tucker was lying of course, because Bari and Cherney had already come up with a very bold solution to the Potter Valley and Red Bluff mill closures which the L-P spokesman had sneeringly dismissed.¹⁶ Tucker also had nothing to say about automation, mill closures, union busting, insider trading, or capital intensive understory brush removal all of which were equally costly to local forest economies. The same news outlet that broadcast Tucker’s condemnation of Earth First! reported, accurately, that Corporate Timber still sought to overturn the federal ban on exports from public lands, including National Forests. Woody Murphy, also missed the point, suggesting that perhaps Earth

⁹ “Harris, David, *The Last Stand*, New York, NY, Times Books, Random House, 1995, page 347.

¹⁰ Channel 7-12 KAEF TV News Report, May 23, 1989.

¹¹ Channel 6 KVIQ TV News Report, May 23, 1989.

¹² Channel 3 KIEM TV News Report, May 23, 1989.

¹³ “Earth First! to Protest Log Exports”, press release, *Anderson Valley Advertiser*, May 24, 1989 and *The Mendocino Commentary*, May 25, 1989.

¹⁴ Channel 3 KIEM TV News Report, May 23, 1989.

¹⁵ Channel 6 KVIQ TV News Report, May 23, 1989.

¹⁶ “Northwest Wobs Call for Support to Keep L-P Mill Open”, by Judi Bari and Darryl Cherney, *Anderson Valley Advertiser*, December 28, 1989 and *Industrial Worker*, March 1989.

First! was merely looking for “another issue”¹⁷, when in fact the campaign against log exports was an attempt to link *all* of the relevant issues.¹⁸ Given the circumstances, Earth First! was finding itself stretched pretty thin, fighting battles against the Once- lers on many fronts, adding more issues to their already full plate was hardly first and foremost on their agenda.

Darryl Cherney was nothing if he was not drawn to the media spotlight, however, and having not yet engaged in a tree sit himself, he decided that the time was right for him to do it. Of course, the timing was determined as much by the fact that the annual Round River Rendezvous was at hand, and Cherney wanted to boast about his activities there.¹⁹ Greg King, on the other hand, was already fighting burnout, and the thought of having to hastily organize *yet another* tree sit didn’t enthuse him much.²⁰ It had been over a year since the last tree sit in defense of the old growth redwoods of Humboldt County. In King’s mind, the tactic was losing its media staying power and Cherney was not accepting this. Also, Cherney made little secret of the fact that he felt it necessary to perform a tree sit as much for his own sense of standing within Earth First! as much as any strategic imperative against Maxxam. To make matters worse, based on past experience, Cherney wasn’t particularly skilled at it or confident in his abilities. Furthermore, King was beginning to strongly sense that the FBI was increasingly monitoring Earth First!, perhaps even infiltrating them, and risky moves such as this left them open to potential dangers.²¹

Despite King’s initial hesitance, however, he gathered the needed equipment, secured the necessary funds, and planned the treetop occupation to target a Maxxam THP near Yager Creek, which was visible from Redwood House Road, located northeast of Carlotta. Joining Cherney would be George Shook—a musician, wood carver, and former Forest Service timber cruiser—and Martha Stone—a surfer and jewelry designer attending Humboldt State University in Arcata. Rounding out the team, Judi Bari agreed to serve as the media coordinator for the action. On Saturday, June 3, 1989, the tree sitting crew followed their now established routine of entering the forest at midnight, conducting their final reconnaissance around sunrise, sleeping the rest of that day, and then establishing their platforms at sunset.²²

The occupation was established without a hitch, but from there the situation grew increasingly complicated. From their platforms hung a banner reading “STOP RED- WOOD SLAUGHTER – EARTH FIRST!” Some loggers showed up and argued with the tree sitters about the viability of second growth forests as adequate replacements for old growth, but the banter was mostly friendly even if the two groups didn’t agree on every point. In spite of King’s skepticism, thanks to Cherney’s media savvy, the

¹⁷ Channel 6 KVIQ TV News Report, May 23, 1989.

¹⁸ Earth First! press release, May 24, 1989, op. cit.

¹⁹ Harris, op. cit, page 260.

²⁰ “Warriors Climb Back Into the Trees”, by Greg King, *Earth First! Journal*, Litha / June 21, 1989.

²¹ Harris, op. cit, page 260.

²² King, June 21, 1989, op. cit.

tree sit *did* garner local and national media attention, including from *National Geographic*, who sent photographer Jim Blair to graphically record the occupation.²³ Cherney, from his treetop, conducted interview after interview with the media, and issued the following statement:

We are sick and tired of watching ancient redwood forests being strip-logged into oblivion to make patio decks for yuppies. In fact, there is no justification for destroying 500, 1,000, 2,000-year-old beings, especially after we've annihilated 95 percent of them already. So three little people have to sit 100 feet up in giant redwoods for a week, risking life and liberty, in an attempt to save them...

"We sit in the trees and we lay down before the bulldozers because we are resisting the murder of our planet. We do not fear imprisonment or even death, because the current technological onslaught has become our prison and will lead to our death if it is allowed to continue its course. The system of planetary exploitation, a system of taking more than we give, has barreled through our front door and is strangling all our relations. Like any sane species on this planet, we will fight back to drive it from our home."²⁴

Pacific Lumber was displeased with the sitters' presence, but decided to let them stay perched for the time being, because attempting to remove them would merely have drawn more attention. Speaking for P-L, David Galitz declared, "We're not going to do anything to endanger them or ourselves. They are trespassing and we will ask the Humboldt County Sheriff's Department to enforce the law." He declared that the sheriffs would be waiting on Friday when the three planned to end their sit. He also indicated that the lawsuit against Cherney and Shook for trespassing the previous year might also be reactivated.²⁵

* * * * *

P-L's prohibition on retaliation evidently didn't extend to its enablers and front groups, including Candy Boak and TEAM, however. One of the Boak's cohorts, using a CB radio to illegally monitor Cherney's radio telephone transmissions to the media, calling himself "the Enforcer", transmitted threats to Cherney. Using the information from the intercepted transmissions, Candace Boak contacted the media, impersonated Judi Bari, and gave false information to the reporters in an attempt to sabotage the efforts.²⁶ The Earth First!ers were undaunted by Candy's attempts to "monkeywrench

²³ King, June 21, 1989, op. cit.

²⁴ "Statement from Earth First! Tree-Sitters", by Darryl Cherney, *Mendocino Commentary*, June 8, 1989.

²⁵ "They're Back in the Trees: Earth First! Begins Another PL Protest", by Marie Gravelle, *Eureka Times-Standard*, June 7, 1989.

²⁶ King, June 21, 1989, op. cit.

their monkeywrenching”, and in any case, the media didn’t bite either.²⁷ Not yet fully aware of the implications and scope of Boak’s subterfuge, Judi Bari quipped, “Finally the wood workers are learning how to monkeywrench! Now all we have to do is organize them to stop Maxxam.”²⁸

Boak wasn’t finished, however. There was no way she was going to let those “unwashed-out-of-town-jobless-hippies-on-drugs” beat her. She had more tricks up her sleeve. Inspired by watching her son set out traps in the woods to catch game using extremely pungent skunk oil, Boak decided to use some of it to drive Cherney out of his tree.²⁹ While Jim Blair was photographing Earth First!er Bill Devall, Candy and John Boak drove onto P-L property and parked near the action. While Candy continued to monitor Cherney’s transmissions from the vehicle, John trudged down the hill to the base of his tree, donned surgical gloves, and poured two vials of the substance near the trunk.³⁰ Candy Boak had guessed incorrectly about the effectiveness of the aroma, but Cherney instead assumed the vials contained a flammable liquid intended to ignite the tree, platform, and activist.³¹ He frantically contacted the media and logistical supporters back in town from his radiophone.³² His cries of “they’re going to light my tree on fire and burn me out!” rang out over the airwaves.

Quickly catching their wits, Greg King and fellow Earth First!er Andy Caffery sped up the hill after the John Boak. Meanwhile Candy sat, still listening in on CB to Cherney’s now fearful announcements, gleeful that she had frightened the living daylight out of him, and laughed maniacally at his imagined plight, loud enough to be heard by the others.³³ As the Boaks sped away in their truck (with Candy still laughing hysterically), Caffery and King chased after them in their own vehicle, recording their license number and visual images of the vehicle on videotape. In spite of the hubbub, no actual harm came to the tree sitters.³⁴

At the same time, TEAM and WECARE organized yet another “pro-worker” rally in downtown Eureka on Wednesday, June 7. At noon, about 200 assembled at the Humboldt County Courthouse to express their support for Corporate Timber, ostensibly billed as “the timber industry”, and denounce “unwashed-out-of-town-jobless-hippies-on-drugs.” Many of them carried signs which read, “Timber People Are Proud of Their Jobs”, as if anyone was suggesting that they shouldn’t be, and the speakers repeated the usual litany of corporate talking points. Anna Sparks, the keynote speaker, loudly proclaimed, “We have to show them who the hell is boss!”³⁵

²⁷ “No on Boak and Boakism”, letter to the editor by Darryl Cherney, *Anderson Valley Advertiser*, December 19, 1990

²⁸ King, June 21, 1989, op. cit.

²⁹ Harris, op. cit, page 260-62.

³⁰ King, June 21, 1989, op. cit.

³¹ Harris, op. cit, page 260-62.

³² King, June 21, 1989, op. cit.

³³ Harris, op. cit, page 260-62.

³⁴ King, June 21, 1989, op. cit.

³⁵ “Workers Rally in Eureka Draws 200”, *Humboldt Beacon and Fortuna Advance*, June 8, 1989.

Taking note of the tree sit going on in the forest, about thirty of the group, most of them from Eel River Sawmills and Don Nolan Trucking decided to organize a delegation to counter demonstrate at the Earth First! tree sit. They showed up to find thirty Earth First!ers, including Judi Bari who recognized them immediately. While the police looked on, the counterdemonstrators started chanting “No Earth First!”; the Earth First!ers countered by chanting “No Exports!”, alternating with the “No Earth First!” chant, much like the IWW had outwitted the Salvation Army in many a free speech fight three quarters of a century earlier. Bari noticed that this time the counterdemonstrators were much less belligerent than they had been in Scotia, and as if to confirm that point, they finally gave up chanting and suggested that the Earth First!ers and IWW meet with them and have a dialog, which was mutually agreed upon set for the following week.³⁶

* * * * *

The assembled news media had been hoping for a hostile confrontation, but none took place. The next day, however, six loggers threatened to cut down the tree sitters, which Cherney reported live KMUD radio in Garberville by telephone. He then attempted to calm them down by singing *Where are We Gonna Work When the Trees are Gone?* Bari, meanwhile received a threat apparently from “The Equalizer” (the “Enforcer’s” brother), which prompted the sitters to contact the media one more time and announce that they would end their tree sit on Friday. However, the sitters actually descended from their perches on Thursday at dusk and evaded arrest as well as the loss of their gear. Maxxam, knowing of Cherney’s and Shook’s identities reactivated the lawsuit against them for trespassing and tree planting the previous year.³⁷

The dialog with the representatives of Eel River Sawmills and Nolan Trucking proceeded as planned the following week in an Arcata café. It turned out that the counterdemonstrators were not rank and file workers, but supervisors and lower level managers. Bari and her fellow organizers continued with the summit nevertheless. She recalls that one of the very first questions they asked her was, “Are you a communist?”³⁸ It was entirely possible that Candy Boak had planted this suggestion in their minds, since she was certain that her nemesis was a disciple of Karl Marx.³⁹

Bari had certainly much in common with Marxists. Bari believed that there was no way to reform capitalism and reconcile the extraction of value and the externalizing of its costs with deep ecology or a humane system. However, there had been many systems that had at least described themselves as “socialist” and/or “communist” that had established a technocratic class that had been equally exploitive of the Earth. She finally answered, “No, I’m not a communist. I’m much more radical. Communists just want to change the social structure so a different class can exploit the Earth. We want

³⁶ “In the Middle of Run Away History: Judi Bari, Earth First! Organizer, Mississippi Summer in the California Redwoods”, interview by Beth Bosk, *New Settler Interview*, issue #49, May 1990.

³⁷ King, June 21, 1989, op. cit.

³⁸ Bosk, May 1990, op. cit.

³⁹ Harris, op. cit, page 259.

a society whose basis is to live in harmony with the Earth rather than to exploit it.” The two factions then drafted lists of the points that they believed in and found that they agreed more often than they disagreed on many ecological and economic issues.⁴⁰

* * * * *

If ever there were a single man who was a perfect argument for the elimination of capitalism, it was Louisiana-Pacific President Harry Merlo. In short order, the actual reasons for the closure of the L-P Mills in Potter Valley and Red Bluff began to come to light when the company announced that they were opening up a new chip mill facility in Calpella, which many feared was a prelude for the replacement of sawmilling operations with waferboard production.⁴¹ Merlo had hinted that this development might be in the works as early as 1987, The product could be made from any size or type of wood, chipped up and glued together with (mostly toxic) chemicals. This allowed companies, such as L-P, to simply harvest small trees and utilize much quicker rotations in as few as twenty years. The trees needn’t even be redwoods. Any species, including introduced species, such as Eucalyptus, would do.⁴² Underbrush could also be utilized.⁴³

While this might benefit L-P’s bottom line, it spelled certain doom for the forests. The goal of waferboard was the ultimate maximization of timber production.⁴⁴ Already the L-P had been filling up the log deck in Calpella with “pecker poles” (baby trees less than six-inches in diameter).⁴⁵ Judi Bari quickly denounced waferboard as destroying the diversity of the naturally growing forests with monoculture plantations.

“Not only is L-P clearcutting, but now they’re even taking the debris from the forest floor, leaving nothing to replenish the soil. The 19 year rotation tree farms L-P envisions will make Mendocino County a desert in three generations...If we had to sum up all our fears about the timber industry in one word, it would be waferboard. Its production erodes the soil, destroys habitat for wildlife, puts toxics into our environment and people’s homes and eliminates logging and mill jobs.”⁴⁶

She warned that the likely outcome of deforestation was an accelerated greenhouse effect and global warming. Bari stated that as a carpenter, waferboard was an inferior product. She also indicated that many of L-P’s gyppo loggers were equally disgusted

⁴⁰ Bosk, May 1990, op. cit.

⁴¹ “Timber Wars: Footloose Wobs Urgently Needed”, by Judi Bari, *Industrial Worker*, October 1989.

⁴² “No Waferboard!: Demonstration at L-P Calpella Chip Mill”, press release, *Mendocino Commentary*, June 8, 1989.

⁴³ Bari, October 1989, op. cit.

⁴⁴ “Wood Chip Mill in Calpella Triggers Furor”, by Mike Geniella, *Santa Rosa Press Democrat*, June 13, 1989.

⁴⁵ press release June 8, 1989, op. cit.

⁴⁶ Geniella, June 13, 1989, op. cit

with the plan, quoting one who had stated, “When they start telling us to take the tops of trees, we know it’s the end”.⁴⁷ If clear cutting was bad enough for workers and the environment, this was going to be many times worse.

Waferboard production did not bode well for the workers’ long term job security either. The whole process was highly automated, utilizing 95 percent fewer workers than traditional logging. The new chip mill in Calpella would employ no more than fifteen workers instead of the 250 combined at Potter Valley and Red Bluff.⁴⁸ Shep Tucker even admitted that there would be cutbacks at its Cloverdale mill within the next two to three weeks.⁴⁹

Naturally, timber workers, environmental activists, and much of the rest of Mendocino County was horrified that the future of forestry was going to involve rapidly growing, rapidly harvested tree farms subsequently mulched up and glued together in a toxic chemical brew by a handful of underpaid workers driving harvesting machines and pushing buttons. Gyppo Logger Walter Smith expressed his (and no doubt many of his fellow timber operators’) outrage at the concept of waferboard:

“A lot of people are taking offense at that. I mean, who wants the carcinogenic crap that comes along with gluing that junk together. And why should we compete with chip gluing mills in the Midwest with our redwood, when it’s a special species with special qualities...

“That doesn’t make any sense in the long-term. But the long-term doesn’t make any sense to, at least, L-P. They want to harvest on 20-year cycles and make the land profitable and paying all the time...

“(H)ow long can you go on stripping the land of everything? You’re basically making tree farms and you no longer have forests. And when you do that and you start getting this cheaper material, you start paying people less and you end up with (reduced) wages.”⁵⁰

Louisiana Pacific dismissed the widespread opposition to its new facility in Calpella as being the overblown concerns of a few fringe environmentalists. L-P’s chief forester for Lake, Mendocino, and Sonoma Counties, Chris Rowney countered, “I know of no plans to construct a waferboard plant in California, let alone Mendocino County.”⁵¹ Of course he had to say this, however, because the permit for such a facility was

⁴⁷ “Waferboard: The Final Solution”, speech by Judi Bari at L-P’s chip mill near Ukiah, California, June 16, 1989 reprinted in *Timber Wars*, by Judi Bari, 1994. By contrast, Don Nelson had been one of the few union spokesmen to speak favorably towards its implementation, making the dubious argument that it could lead to the creation of additional jobs. For details, see,

⁴⁸ Bari, October 1989, op. cit.

⁴⁹ Geniella, June 13, 1989, op. cit

⁵⁰ “A Logger Speaks Out: An Interview with Walter Smith”, by Bruce Anderson, *Anderson Valley Advertiser*, July 4, 1990.

⁵¹ Geniella, June 13, 1989, op. cit

still pending approval by the county's relevant agencies.⁵² Rowney argued that the unwanted understory oaks and madrones, the tops of redwood and Douglas fir trees, and the decomposing bark and woody debris used to be left on the ground to rot or be burned. Now it would be used to make wood, and Rowney asserted that this was somehow supposedly more ecologically sustainable, but the lack rotting of woody debris was precisely what the environmentalists were challenging!

Louisiana Pacific was already the leading producer of waferboard, and they had indicated that every intention of increasing their production capacity of it. L-P claimed that it was stronger than conventional plywood and cost one-third less to make.⁵³ Harry Merlo declared, "We have designed Louisiana-Pacific so we don't need big trees. The dwindling log supply creates opportunities for those of us who have the financing. When you look at the total picture, our future is so bright, even though some product lines are at their end."⁵⁴ When questioned by *Santa Rosa Press Democrat* reporter Mike Geniella about the harvesting of the woody debris, Merlo responded (in an article published on December 11, 1988):

"You know, it always annoyed me to leave anything on the ground when I log our own lands. Now the good part of a log goes to lumber and the bad part can be waferized into the sort of products that you see here. There shouldn't be anything left in the ground...We need everything that's out there. We don't log to a 10-inch top, or an 8-inch top, or a 6-inch top. We log to infinity. Because we need it all; it's ours. It's out there, and we need it all; now."⁵⁵

Hollywood's most hackneyed writers couldn't have scripted a more villainous monologue, and it didn't win the hated executive any popularity contests. Judi Bari countered, "We can't coexist with that kind of philosophy."⁵⁶ She also declared, "This maniac is actually in charge of most of the forestland in Mendocino County...(he is) the ultimate tree Nazi; He wants to cut every last tree and implement The Final Solution of waferboard in [Mendocino] county."⁵⁷

Even Merlo had to admit that his arrogance had stirred up a sleeping giant, and he tried to save face by claiming that his statement had been pro-environment, as

⁵² "Louisiana Pacific Demonstration", by Bruce Anderson, *Anderson Valley Advertiser*, June 21, 1989.

⁵³ "Punch Punctuates L-P Wood Chip Protest", by Mike Geniella, *Santa Rosa Press Democrat*, June 16, 1989.

⁵⁴ "From Quality Sawlogs to Crappy Wood", by Meca Wawona, *Anderson Valley Advertiser*, August 22, 1990.

⁵⁵ Geniella, June 16, 1989, op. cit

⁵⁶ "Timber Industry vs. Environmentalists", by Keith Michaud, *Ukiah Daily Journal*, March 19, 1989.

⁵⁷ "Waferboard: The Final Solution", speech by Judi Bari at L-P's chip mill near Ukiah, California, June 16, 1989 reprinted in *Timber Wars*, by Judi Bari, 1994.

opposed to anti-environment, arguing that using all of the woody debris (logging to infinity) was based on lessons he had learned from his mother who had emigrated from Italy, who had taught Merlo the value of frugality when he was a boy and his family struggling financially.⁵⁸ However, his stories about begging the butcher for undesirable scraps of meat simply didn't square with the current reality of his roughly \$575,000 annual salary (only Hurwitz earned more among the North Coast timber barons).⁵⁹

For the first time since the demonstrations against Garlon spraying four years previously, a coalition of Mendocino County Earth First!ers, IWW members, and Greens came together to oppose L-P. They scheduled a protest for June 16, 1989, to protest what Green spokesperson John Lewallen described as "strip-mining the forests".⁶⁰ Nearly 100 demonstrators—some of them holding signs reading "Real men don't destroy their forests", and "L-P is full of chips", others drumming and dancing— assembled outside of the mill at noon and listen to speaker after speaker denounce the plan.⁶¹ Judi Bari, the rally's keynote speaker, denounced the chip mill, Harry Merlo, and waferboard on both ecological and economic grounds. She declared:

"We don't recognize Harry Merlo's claim to ownership of beings that are 2,000 years old. Beings in whose life Harry Merlo is just a blip in their history. We don't recognize his right to strip our forest and leave nothing, or to strip our children's future. The forest doesn't belong to Harry Merlo; the forest belongs to the ages. The logs on that log deck don't belong to Harry Merlo, they belong to the future. They belong to the forest creatures who need them for habitat. We are not going to let Harry Merlo chip our county to satiate this greed...Harry is practicing an economics of extinction. Well we have a surprise for him in Mendocino County. He's about to run into the politics of resistance...This is not the last demonstration Harry, this is the first. The next one will be at your office, and the next one will be at your house. Harry Merlo last! Earth First!"⁶²

As was the case with the Day of the Living Dead Hurwitzes, the protest had attracted counterdemonstrators. Judi Bari challenged them to try and defend waferboard on the argument that Earth First! was anti-worker or anti-timber-jobs, but the latter didn't engage the demonstrators.⁶³ It seems that in an official letter sent to the L-P

⁵⁸ Letter to the *Santa Rosa Press Democrat* by Harry Merlo, February 7, 1989. (the letter was later reprinted in the *Anderson Valley Advertiser* and given the title "Harry Learned it All from His Mom" by Bruce Anderson).

⁵⁹ "Gaye LeBaron's Notebook: The Company Hurwitz Keeps", by Gaye LeBaron, *Santa Rosa Press Democrat*, April 24, 1990.

⁶⁰ "Demonstration Slated at L-P Mill in Calpella Today", press release, *North Coast News*, June 15, 1989.

⁶¹ Anderson, June 21, 1989, op. cit

⁶² Bari, June 16, 1989, op. cit

⁶³ Bari, June 16, 1989, op. cit

employees prior to the demonstration the company had admonished them, “Not to get in (the protesters) way”, but to keep anyone from interfering with the work going on at the Calpella facility.⁶⁴ The company halted their truck flow during the demonstration for unknown reasons, though some speculated that the company feared that the workers might be too sympathetic to Earth First!.⁶⁵

One of the counter demonstrators apparently didn’t get the memo. During a march to the chip mill following the rally, a 38 year old man named Dick Abshire, who had been driving back and forth in front of the protesters, waving his middle finger in the air, and revving up a rather sizable chainsaw.⁶⁶ He had been doing this all day, threatening more than once to take his instrument and “hack the fucking hippie Earth fucking First! f—ts.”⁶⁷ The activists had mostly ignored it, since they were used to such threats and regarded Abshire’s behavior as yet another victim of WECARE inspired propaganda. Many of the demonstrators were convinced that he was hopped up on methamphetamine or some other substance,⁶⁸ and Judi Bari indicated to the press that she did not consider Abshire’s behavior typical of most timber workers.⁶⁹

Greg King arrived late to the demonstration however, and upon seeing the logger brandishing his weapon, moved to intervene. King commented that the chainsaw needn’t be as large as it was, because there were few old growth trees left in Mendocino County, and were Abshire to cut one down, he’d soon be out of a job. The logger informed King that he’d never be jobless, to which the latter replied “you’re crazy!” precipitating several minutes of heated back-and-forth arguing until Abshire threatened to punch the Earth First!er. King stood his ground, and the logger turned to leave, but then suddenly doubled back and sucker-punched his adversary unexpectedly, knocking him flat on his backside.⁷⁰

Earth First! had been threatened by counter demonstrators and less enlightened timber workers in Humboldt and Mendocino Counties before, but never had they been physically attacked. King was not seriously injured, but the other demonstrators who had paid little attention to Abshire now approached him angrily.⁷¹ King seeing that one of his comrades was carrying a six foot long redwood branch grabbed the log and swung at his adversary, hitting him in the chest. Abshire was stunned that one of the “fucking hippie Earth fucking First! f—ts” had the balls to hit him back. Nobody made a move for several minutes. The demonstrators demanded that the sheriff deputies

⁶⁴ Geniella, June 16,1989, op. cit

⁶⁵ Anderson, June 21,1989, op. cit

⁶⁶ Anderson, June 21,1989, op. cit

⁶⁷ “Harris, op. cit., pages 272-73.

⁶⁸ Anderson, June 21,1989, op. cit

⁶⁹ Geniella, June 16,1989, op. cit

⁷⁰ “Harris, op. cit., page 273.

⁷¹ Geniella, June 16,1989, op. cit

arrest Abshire, but they refused. Finally Abshire walked across the street into a local bar, mouthing off about “fucking hippie Earth fucking First! f—ts” as he left.⁷²

Corporate Timber and the police downplayed the attack. According to an unnamed L-P spokesman, Abshire had reacted to attempts by the demonstrators to take his (revving) chainsaw away from him. Lt. Larry Gander, commander of the Ukiah area sheriff’s deputies stated that assailant had been questioned after the altercation, but he claimed that none of his men had seen the altercation and that King had failed to sign a citizen’s arrest complaint.⁷³ Speaking for L-P, Shep Tucker attempted to distance itself from Abshire’s actions, pointing out that he was not an employee of the company (but not revealing whether or not he was employed by one of the gyppo firms that contacted with L-P). Other than that, Tucker did little more than call the incident “unfortunate.”⁷⁴

Tucker’s colleagues at Pacific Lumber were not so quick to denounce Abshire. Indeed, they were privately waxing gleeful over the event. In an inner office memo, dated June 21, 1989, written by David Galitz to then P-L president, William Leone (and “cc-ed” to Hurwitz, Campbell, Malarkey and others), the public affairs manager wrote, “Enclosed is an article on King and Cherney’s latest stunt. As soon as we find the home of the fine fellow that decked Greg King, he has a dinner invitation waiting at the Galitz residence.”⁷⁵

Considering the large number of police and L-P security present, it is a mystery how none of them apparently did not witness the exchange. King’s own testimony contradicts Gander’s account. King reportedly admonished the large contingent of police assembled nearby to take action, but they did nothing and informed King that they, “didn’t have jurisdiction”. King later filed a complaint with District Attorney Susan Massini, which was ignored.⁷⁶ One of the demonstrators said of the overbearing law enforcement presence at the demonstration, “You know, four hundred years ago these guys were footmen at the local castle.” Another observed the police nonchalantly joking with L-P’s security guards, who were also present. Still one more observer opined, “Last week their Chinese brothers shot (our Chinese brothers) down in Peking,” referring to the now historical Tiananmen Square massacre.⁷⁷

A question that formed in many of the demonstrators’ minds was, “could something similar happen against American dissidents?” Given the unrelenting greed of the real-life Once-lers and their willingness to literally log to infinity, anything seemed possible. More sinister than that however, was an FBI sting operation against Earth First! that had just happened in the deserts of Arizona. Indeed, the attempts by the powers that be to subvert and undermine Earth First! was already under way.

⁷² “Harris, op. cit., page 273.

⁷³ Geniella, June 16, 1989, op. cit

⁷⁴ Geniella, June 16, 1989, op. cit

⁷⁵ “The Palco Papers”, by Judi Bari, *Anderson Valley Advertiser*, March 27, 1991.

⁷⁶ Anderson, June 21, 1989, op. cit

⁷⁷ Anderson, June 21, 1989, op. cit

18. The Arizona Power Lines

*So now I'm a-sitting in prison,
A jump-suit and flip-flops I wear,
I'll be out with good time by two-thousand and nine,
Hope there'll still be some old growth back there,
And the man who looked just like Jesus,
He sure ain't a sharing my cell,
'Cause he was a spy for the FB of I,
And they busted Dave Foreman as well.*

—Lyrics excerpted from, *He Looked a Whole Lot Like Jesus* by Darryl Cherney and Mike Roselle, 1990.

“I’m proud to be here facing harassment by the FBI. I think I’m here because I’ve been effective in bringing attention to the crisis on this planet...my involvement will be curbed when I’m (lying) in the desert like Ed Abbey.”¹

—Dave Foreman, June 1989.

Truth be told, by this time Earth First!ers had *already* been the victims of state repression. COINTELPRO, the FBI’s Counter Intelligence Program, a creation of J. Edgar Hoover, had been used since the 1950s to infiltrate and disrupt leftist organizations, often through the use of agent provocateurs, ostensibly to prevent a violent overthrow of the US Government. Most of the charges against such groups for any real crimes have either been found to be groundless, or, as in the case of the Black Panthers for example, many of the crimes were orchestrated by the undercover agents *themselves* in an attempt to discredit the organization. These efforts usually succeeded, and most of these dissident groups were undermined, rendered ineffective, or destroyed utterly.² The judgment of history has generally shown these organizations to be innocent of most of the charges against them, and even if they were considered a menace to society at the time, much of what they believed has eventually become mainstream

¹ “The Empire Strikes Back: FBI Attacks Earth First! – Foreman, Millett, 2 Others Arrested”, by Dale Turner, *Earth First! Journal*, special edition, June 16, 1989.

² “Stop FBI Repression!: The Historical Context to Recent Bomb Charges Against California Earth First! Activists, by Michael Robinson and Jim Vander Wall” *Industrial Worker*, July 1990.

thought, at least to some degree.³ Yet, COINTELPRO continued after Hoover's death well into the 1980s.⁴

Many Earth First!ers naïvely assumed they were immune, or at least highly resistant, to infiltration by provocateurs. This was due, they thought, to their lack of formal structure. Earth First! cofounder Mike Roselle likened them to the Yippies, which he'd been part of in his younger days, stating "You couldn't infiltrate the Yippies. It was like infiltrating a marshmallow." Judi Bari seemed to agree with this pronouncement, declaring, "There was nothing defined. It was a movement with a way of being and a feeling, and our extreme decentralization makes it difficult for the FBI to even understand us, much less infiltrate us," and, it wasn't as if Earth First! didn't take steps to minimize the danger.⁵ As Greg King stated,

"We do have to get together and plan our actions, and we do have to be clandestine. Often times we have to worry about the phones we use, and sometimes we have to worry about whether we have an infiltrator in the group. We don't worry about it very much, but sometimes you can, especially when you're dealing with such powerful and insidious people as Charles Hurwitz of the Maxxam Group."⁶

Earth First! was soon about to find out that they had much to learn and plenty to worry about.

On Tuesday, May 30, 1989, at about 8:15 in the morning, Earth First!er Peg Millett, and her two friends from Prescott Arizona, Marc Davis and Mark Baker, while engaged in a protest action in the deserts of northern Arizona were surrounded by fifty FBI agents. None of the three were armed.⁷ Mark Baker wasn't even a self-described Earth First!er, and he had never met Dave Foreman. He was a father of two and a botanist who knew Millett. Mark Davis wasn't an Earth First!er either. He was good friends with Peg Millett, a father of three, and he was an environmental activist who had focused on wilderness protection, opposing nuclear power, and other related issues.

³ "In the Middle of Run Away History: Judi Bari, Earth First! Organizer, Mississippi Summer in the California Redwoods", interview by Beth Bosk, *New Settler Interview*, issue #49, May 1990.

⁴ Robinson and Vander Wall, July 1990, op. cit.. For general exposes on COINTELPRO, see Matthiessen, Peter, *In the Spirit of Crazy Horse*, New York, NY, Viking Press, 1983; Churchill, Ward and Jim Vander Wall, *Agents of Repression*, Woods Hole, MA, South End Press, 1988; Churchill, Ward and Jim Vander Wall, *The COINTELPRO Papers: Documents from the FBI's Secret Wars Against Dissent in the United States*, Woods Hole, MA, South End Press, 1990; Glick, Brain, *The War at Home*, Covert action against U.S. activists and what we can do about it, Woods Hole, MA, South End Press, 1993; and Swearingen, M. Wesley and Ward Churchill, *FBI Secrets: An Agents Expose*, Woods Hole, MA, South End Press, 1995. For more on operation THERMCON, see <http://en.wikipedia.org/wiki/THERMCON>.

⁵ Bosk, May 1990, op. cit.

⁶ "Tree Perching, Part 1", Greg King Interviewed by Crawdad Nelson, *New Settler Interview*, Issue #24, September 1987.

⁷ Turner, June 16, 1989, op. cit.

Millett *was* an Earth First!er, who was a musician, singer, and ardent eco-feminist. She, like most Earth First!ers, was also committed to nonviolence, even though she, like most Earth First!ers, was dedicated to defending the wilderness.⁸

While they were surrounded, Peg Millett took off through the underbrush and disappeared, despite being chased by the SWAT team, some of whom had bloodhounds and others who were on horseback, and all of whom *were* heavily armed. None of them could find the activist. Two agents circling overhead in helicopters outfitted with infrared and night vision equipment couldn't find Millett either. Somehow she had managed to evade the entire lot of them, reach the highway a mile and half away, and hitchhike back to Prescott. She was, however, not so lucky the next day, because she was arrested at the Planned Parenthood Clinic where she worked.⁹

At 7 AM that same day, three heavily armed FBI agents dressed in full body armor approached the home of Dave Foreman and his wife, Nancy Morton, in Tucson Arizona. They knocked on his door, drew their weapons, pushed past Morton after she had opened the door, and proceeded to run straight to the bedroom where Foreman was sleeping. The agents woke Foreman at gunpoint, allowed him to put on only a pair of shorts, and then hauled him away in handcuffs.¹⁰ Although he had been arrested because of the protest, Foreman himself had almost no connection to the actions carried out in the desert.¹¹

Foreman was released on \$50,000 bond by a Federal magistrate who ordered the Earth First! cofounder not to leave Pima County (where he lived) and to surrender any weapons that he owned. Baker, Davis, and Millett were held in prison without bail until their arraignment several days later. The three were charged with Destruction of an Energy Facility, Destruction of Government Property, Destruction of Property Which Affects Interstate Commerce, and Conspiracy. Baker, Davis, and Millett potentially faced 35 years each in prison and \$80,000 in fines. Foreman faced up to five years in prison and a \$10,000 fine on charges of Conspiracy to Destroy an Energy Facility. While this was going on, sixteen other activists in Arizona (including *Earth First! Journal* coeditor John Davis and staffer Nancy Zierenberg, as well as anti-off road vehicle activist Rod Mondt and anti-grazing activist Lynn Jacobs), Colorado (including local Earth First! spokesperson David Lucas), Montana, and Nevada—some of them self-described Earth First!ers, some of them not—were served subpoenas and questioned by other FBI agents.¹²

Then, on Wednesday Afternoon, the FBI held an elaborate press conference in Phoenix to announce the arrests, claiming that they had busted an organized crime ring, or a band of terrorists. They were joined by US Attorney Stephen McNamee, who called the arrests “a significant development in law enforcement.” He added that the

⁸ “Players in the Drama”, by Karen Pickett, *Anderson Valley Advertiser*, August 7, 1991.

⁹ Turner, June 16, 1989, op. cit.

¹⁰ Turner, June 16, 1989, op. cit.

¹¹ Pickett, August 7, 1991, op. cit.

¹² Turner, June 16, 1989, op. cit.

investigation was still underway and additional arrests might follow. The FBI *claimed* that Earth First! had been planning to sabotage powerlines leading into the Palo Verde (Arizona) and Diablo Canyon (California) nuclear facilities which could lead to a nuclear meltdown. They alleged that this action was directly connected with two earlier actions carried out by an unknown group called the Evan Meacham Eco-Terrorist International Conspiracy (EMETIC), named after the right wing former governor of Arizona who had been impeached earlier that year. EMETIC had targeted the Fairfield Snowbowl, a ski resort located in a sensitive alpine area of the San Francisco Mountains, on sacred Hopi and Navajo land, north of Flagstaff. They'd also been linked to the cutting of three power lines leading into Hermit, Pine Nut, and Canyon uranium mines near the Grand Canyon in September 1988.¹³ Major media outlets spread the story around the country without any question.¹⁴

What had *actually* happened, however, was that when the arrestees had been surrounded, a *fourth* member of their party was holding an acetylene cutting torch to the leg of a power transmission tower leading to the pumping station of the Central Arizona Project (CAP). That facility was *not* a nuclear power plant. It was instead used to carry water from the Colorado River, uphill across 300 miles of desert, to be used in Phoenix and Tucson, most likely to enable the continued rapid expansion of the suburban sprawl in both cities.¹⁵ There was no actual proof of any connection, nor was there any evidence that EMETIC was connected in any way to Earth First!.

What the FBI was not so loudly proclaiming is that the aforementioned fourth individual involved in the protest, a man named Michael Fain, who had been with the other three, *wasn't* arrested. The FBI had gone to great lengths to track down Peg Millet who had escaped, but they didn't even touch Fain. He had been the one who had suggested the action. He had been the one who had rented the acetylene tanks. He had filled his truck with gasoline, and he had driven the other three to the desert where the SWAT team awaited them. That was due to the fact that that Fain was a special agent for the FBI who had successfully infiltrated Earth First! assisted by at least three others, and had set them up for a sting operation which had caught them when the trap had been sprung. Fain's scheme had been part of an FBI plot hatched at least three years earlier. What the FBI wasn't telling anyone that day, was that they had kept Earth First! under surveillance from as early as 1983, spent over \$2 million in wiretaps—which, under law, were only supposed to be used as a last resort when all other investigative procedures have been exhausted.¹⁶

¹³ Turner, June 16, 1989, op. cit.

¹⁴ See for example, "4 Held in Plot to Cut Lines Near Nuclear Plants", by Paul Feldman and Richard E Meyer, *Los Angeles Times*, June 1, 1989; "4 Arizonans are Seized in Nuclear Sabotage Plot", *AP Wire*, *San Diego Union-Tribune*, June 1, 1989; and "Earth First! Founder Arrested on Sabotage Charges", *AP Wire*, *Ukiah Daily Journal*, June 1, 1989.

¹⁵ "FBI Targets Earth First!", by Karen Pickett, *Anderson Valley Advertiser*, July 3, 1991.

¹⁶ Pickett, July 3, 1991, op. cit.

Fain had been brought in by the FBI thanks to the information provided by at least one other informant, a man named Ron Frazier, who had been an activist, but then turned against Earth First!. Frazier had always been something of a maverick, even within Earth First! from the beginning. He was not so much an ecology activist as he was fond of monkeywrenching, which is all the more ironic given the fact that he was a diesel mechanic by day. There was also evidence that he was a heavy drug user and child molester, and he had displayed violent tendencies. He never quite understood Earth First! or its culture, which was evident in what he later told the FBI, characterizing Dave Foreman and Mike Roselle as Earth First!’s “generals” (which they weren’t), or that Dave Foreman was inciting violence when the latter pumped his fist in the air and shouted “Earth First!” at the end of his fiery speech at the 1987 Earth First! Round River Rendezvous in Arizona (where he proclaimed Earth First! “neither left or right or in front of behind, and not even playing the same game.”). He also had a growing paranoia that Earth First! was mounting an organized insurrection that would eventually spin out of control, which is odd, considering the fact that Frazier had made repeated suggestions to other Earth First!ers that they make use of explosives, which were consistently rejected.¹⁷

Frazier had been observed by other FBI agents who had infiltrated Earth First!, notably a woman named Kathy (“Cat”) Clark) who had sat in on a workshop led by Frazier on how to disable bulldozer engines at the 1987 Rendezvous. Six months later, after having a falling out with Mark Davis, whom he met through his associations with Peg Millett and other Prescott Earth First!ers, Frazier went to work for the FBI. It’s not known exactly how Frazier was finally convinced to work with the FBI, though it is entirely possible that Clark may have intuitively sensed that she could turn Frazier against Earth First!, and the paranoid notions that he had relayed about Earth First! may have grown from the seeds of ideas that Clark (or other undercover provocateurs) planted in his mind. Certainly, such happenings are consistent with the FBI’s COINTELPRO program. What *is* known is that Frazier had undergone hypnosis by a Doctor Richard Graver, in Texas, ostensibly to help the turncoat enhance his memory abilities, though it’s entirely possible that these sessions increased the subject’s paranoia. The FBI paid Frazier more than \$54,000 for his services. At least one other undercover operative, Mike Gooch, a Prescott College student, is known to have been involved as well, but to what extent remains uncertain.¹⁸

Micheal Fain, on the other hand, had worked for the FBI for twenty years. His father, Lewis Fain, had also worked for them. The younger Fain had “joined” Earth First! when he showed up at the Round River Rendezvous in Washington in 1988. He told everyone his name was Micheal Tait and he presented himself as a “redneck for the wilderness” in the mold of Dave Foreman. He fit right into the Prescott scene,

¹⁷ “A Snitch on the Stand and Other Revelations About the Pawns of the Evil Empire”, by Karen Pickett, *Terrain*, December 1991.

¹⁸ Pickett, December 1991, op. cit.

however, and he appealed to Peg Millett, which was later discovered to have been the FBI's intention.¹⁹ Millett had been an increasingly visible and inspirational figure in the Earth First! movement; she had become a speaker in its budding Speaker's Bureau, and she had taken an active role in the Redneck Women's Caucus.²⁰ She was also the person the FBI had in mind when they dispatched Micheal Fain to infiltrate Earth First!²¹

Fain became good friends with Millett and had an intimate relationship with one of her close friends.²² The quiet and seemingly reserved Fain didn't drink, claiming to be a recovered alcoholic, but he did attend Earth First! social events. He also claimed to have a learning disability and very rudimentary reading and writing skills, which no doubt was part of his cover and designed to help him gain the sympathy of Millett and other Earth First! activists.²³ Peg Millett also later recounted that Fain dressed the part of a Cowboy, and that she had been "a sucker for Cowboys".²⁴ Though She and Fain were not romantically involved, they still went out dancing several times. Through their friendship, Fain got to know Mark Davis and Marc Baker, as well as other activists (including several Earth First!ers) in the Tucson area. His frequent visits brought him into repeated contact with the editors and staff of the *Earth First! Journal*.²⁵

Fain had involved himself in several Earth First! actions over the course of the next several months, endeavoring to gain their trust. In January of 1989, Fain, Davis, and Millett hatched a plan to organize actions against the Palo Verde Nuclear Plant in Arizona, the Diablo Canyon Nuclear Plant in California, and the Rocky Flats nuclear weapons facility in Colorado. They and others would cut down power line towers leading *out of* (but not into) the facilities, making a large and costly statement against nuclear power and nuclear weapons. In March of 1988, Fain supposedly arranged for Mark Davis to secure funding from Dave Foreman, who warned them against carrying out any foolish or rash actions. Foreman did agree to donate \$580 to Davis to support other Prescott area environmental activities. Fain also sought others to help carry out the proposed actions in Colorado and California. He requested that he be put in communication with monkeywrenchers active in those states, thus establishing the grounds for conspiracy charges to be brought against the Earth First!ers eventually caught in the FBI's net. At some point, Davis and the others grew suspicious or at least more cautious and scaled back their planned actions to target the CAP facility instead.²⁶

¹⁹ Pickett, December 1991, op. cit.

²⁰ Turner, June 16, 1989, op. cit.

²¹ Pickett, August 7, 1991, op. cit.

²² Pickett, December 1991, op. cit.

²³ Turner, June 16, 1989, op. cit.

²⁴ Public speaking appearance and music performance by Millett, 1996.

²⁵ Turner, June 16, 1989, op. cit.

²⁶ Turner, June 16, 1989, op. cit.

The FBI had also subjected the Wild Rockies Earth First! chapter in Montana to federal police harassment and infiltration. On May 11, 1989, a local periodical announced that a warning of a tree-spiking had been sent to forest service offices of the Clearwater National Forest, located southwest of Missoula. The next day, the “freddies” confirmed the spiking, and the local timber industry started a reward fund. The FBI and USFS officials staged a raid on the house of Wild Rockies Earth First!er Jake Jagoff, which he shared with several other Earth First!ers. After an extensive search, agents absconded with photo albums, personal diaries, tree climbing gear, and computer disks (but no tree spiking equipment). Several days later, local police appeared with a search warrant for shoes, apparently to match the soles of the footwear with the footprints found near the spiking. Several peripheral supporters were questioned, all of them asked for names, aliases, and locations of potential perpetrators. Missoula Earth First!ers deduced that at least one informant was active in their group. Their suspicions were bolstered by the fact that for several months leading up to the raids, their gatherings had been photographed, demonstrators had been tailed by police, and listening devices had been discovered at rallies and gatherings.²⁷ A handful of the Earth First!ers had been among the sixteen questioned in connection with the Arizona arrests, and Peg Millett had visited this Earth First! chapter as recently as April.²⁸

Essentially, the FBI had launched a four-pronged attack on Earth First! intended to decapitate the movement by neutralizing its perceived leaders, by tying up group energy in defensive legal battles, by sowing suspicion and paranoia among Earth First’s ranks, and by discrediting the movement in the eyes of the masses (and certainly the Corporate Media).²⁹ The first prong, indeed the FBI’s goal from the start, was to neutralize Earth First! by isolating and discrediting Dave Foreman. The FBI tended to think in hierarchical terms, that every organization and/or movement must have a leader and from them flowed all ideas and inspiration. Remove the head, and the organization is destroyed or at least rendered ineffective. In the Government’s mind, Dave Foreman was the head. Additionally, Dave Foreman was the principle author (or editor at least) of *Ecodefense!*, and in many ways, it was the ideas in that book itself that were the target.³⁰

At the hearing on terms of release, US Attorney Roger Dokken proclaimed, “Mr. Foreman is the worst of the group...He sneaks around in the background. He was the financier, the leader, sort of the guru to get all this going. I don’t like to use the analogy of a Mafia boss, but they never do anything either...They just send their munchkins out to do it.” Several years later, when the defendants were finally brought to trial, discovery and testimony included a very revealing, informal conversation between Fain and another agent, inadvertently caught on tape. Fain said, “Foreman isn’t the guy we

²⁷ “Wild Rockies EF! Faces FBI Intimidation”, by Dale Turner, *Earth First! Journal*, special edition, June 16, 1989.

²⁸ Turner, June 16, 1989, op. cit.

²⁹ “We Are Not Alone in This”, by Dale Turner, *Earth First! Journal*, special edition, June 16, 1989.

³⁰ Pickett, July 3, 1991, op. cit.

need to pop. I mean, in terms of the actual perpetrator. This is the guy we need to pop *to send a message*. And that's all we're really doing." Later in the tape, he stated, "These people live on nothing—I mean, this isn't much," (referring to a \$100 donation he had coaxed from an *Earth First! Journal* staffer). Continuing, he revealed:

"...but for them it's about everything they got. They're short on material assets, but they're long on dedication...so in actuality we probably ought to give them their money back when it's all over because they don't really say what it's for. Now they're low budget, *and I don't really look for 'em to be doin' a lot of hurtin' of people*" (emphasis added)³¹

At this point, Fain realized the tape was rolling and recording, because his next words were, "We don't need that on tape...hoo-boy."³²

The FBI's second prong, was intended to hamstring Earth First! legally. Fortunately, Earth First! had retained effective and competent counsel, including Richard Sherman and Gary Spence (the latter of whom had successfully sued Kerr McGee Oil Co. in 1976 on behalf of the late Karen Silkwood's family), who represented Dave Foreman, and Michael Black, who represented Peg Millett.³³ They were eventually joined by Wellborn Jack Jr. (for Mark Davis), Skip Donau (for Marc Baker), and Mark Boudoff, who served as legal counsel for Ilse Asplund³⁴, a fifth defendant who was added to the case a few months later.³⁵ By many accounts, Sherman obliterated Bailey's testimony, but US Magistrate Morton Sitver, who had signed Foreman's arrest warrant in the first place, accepted some of the prosecution's arguments. Foreman was released on \$50,000 bond, but Baker, Davis, and Millett were ordered held without the option of bail until their trial.³⁶ The trial was initially scheduled for August 11, 1989, but then delayed for more than a year³⁷, until it finally began in the summer of 1991.³⁸ Ultimately all three of the remaining, original defendants served jail time (in minimum security facilities) for being duped into becoming accomplices in a crime manufactured by the FBI.³⁹

³¹ Pickett, July 3, 1991, op. cit. Emphasis added.

³² Pickett, July 3, 1991, op. cit.

³³ Turner, June 16, 1989, op. cit.

³⁴ Pickett, August 7, 1991, op. cit.

³⁵ "Arizona 4 Are Now 5; Tapes Show Political Move against Foreman", by Dale Turner, *Earth First! Journal*, Brigid / February 2, 1990.

³⁶ Turner, June 16, 1989, op. cit.

³⁷ "Arizona 5 Trial Soon", Dale Turner, *Earth First! Journal*, Mabon (September 21), 1990; "Arizona 5 Trial Postponed", and "EF! and the FBI, A Strained Relationship", *Earth First! Journal*, Yule (December 21) 1990; "Arizona Five Conspiracy Trial", uncredited press release, *Earth First! Journal*, Litha (June 21) 1991

³⁸ "Arizona Five Conspiracy Trial", uncredited press release, *Earth First! Journal*, Litha / June 21, 1991; "Arizona Conspiracy Trial Ends in Plea Bargain", by Karen Pickett, *Earth First! Journal*, Mabon / September 23, 1991; and "Wake Up!", by Marc Davis, *Earth First! Journal*, Samhain / November 1, 1991.

³⁹ "Earth First! Activists Jailed in 'Conspiracy' Trial" and "A Snitch on the Stand & Other Revelations About the Pawns of the Evil Empire", by Karen Pickett, *Terrain*, December 1991.

The third prong of the FBI's attack, sowing suspicion and fear among its ranks was effective. Within less than a month after the arrests, Earth First!ers were whispering and finger-pointing, wondering if the newcomers were legit, and walking on eggshells for fear of their statements being misinterpreted, either as words that could be taken out of context and used by an undercover infiltrator against the movement, or as statements that might lead actual activists to conclude (wrongly) that the person uttering the statement was an infiltrator themselves. Although the fear and paranoia might abate, it would never completely go away. Earth First! was much less of "a marshmallow" than Mike Roselle or anyone else had originally hoped. Earth First!ers tried to mitigate this paranoia and offered suggestions on how to avoid jumping at shadows⁴⁰, and in some ways, the paranoia served a useful purpose for the movement, as it required some careful self reflection on tactics and strategies, particularly monkeywrenching⁴¹, which was by far a controversial tactic with debatable effectiveness.

As for the fourth prong, the FBI went to great lengths to paint the worst possible image of the accused. All four were brought into the courtroom for their initial hearing wearing orange prison jumpsuits, handcuffs hooked to chains around their waists. They were escorted by a battalion of armed guards. US Attorney Roger Dokken repeatedly raised the specter of Earth First! "terrorists" causing "a China Syndrome" event at the Palo Verde nuclear plant (even though the FBI knew full well that the real Earth First!ers involved in the sting operation planned no such thing, nor were they careless enough to inadvertently cause anything even remotely close to it, even though Fain had repeatedly suggested it to them). Dokken and FBI agent Lori Bailey—testifying on Fain's behalf who was absent, no doubt in part because the FBI wanted to ensure that he not reveal too much that would undermine their case—even tried to defame the character of each of the defendants. For example, they described Marc Baker as indigent, even though he was a gainfully employed biologist with a Ph.D.⁴²

David Small, supervisor of one of the FBI antiterrorism squads involved in the Arizona arrests, stated that his group was involved in the case because terrorism, "includes any individual committing criminal acts under federal, state, or local laws in furtherance with their political or social goals." Such a broad description could have included the likes of Martin Luther King Jr. or Thomas Jefferson.⁴³ Earth First!, like it or not, had joined the ranks of the many movements that taken their place in the proverbial hall of martyrs, but this was but a hint of what was still to come.

⁴⁰ "Which of my Friends is an FBI Infiltrator?", by Pam Lambert, *Earth First! Journal*, Samhain / November 2, 1989.

⁴¹ "Whither Monkeywrenching?", in "Dear Nedd Ludd", by Dave Foreman, *Earth First! Journal*, Samhain / November 2, 1989.

⁴² Turner, June 16, 1989, op. cit.

⁴³ "We Are Not Alone in This", by Dale Turner, *Earth First! Journal*, special edition, June 16, 1989 and "The Perils of Illegality", by Dave Foreman, *Earth First! Journal*, Samhain / November 2, 1989.

19. Aristocracy Forever

*What do workers hold in common with a labor bureaucrat,
Who's a class collaborationist and a boss's diplomat,
With the money from our paychecks he is sitting getting fat,
While the union keeps us down. ...*

—Lyrics excerpted from *Aristocracy Forever*, by Judi Bari.

Meanwhile, back in Fort Bragg, there was “trouble in union city”—or what was left of it at any rate. Over the course of the previous four years, IWA Local #3-469 Business Representative Don Nelson had folded under pressure to the collaborationist leadership in the IWA, offered no resistance whatsoever to Georgia-Pacific’s outsourcing of its logging operation to gyppos, refused to offer solidarity to the UFCW in its boycott of Harvest Market, and had essentially bought G-P’s story on the PCB spill hook, line, and sinker. Now those chickens were coming home to roost. It was the middle of June 1989, and the union’s contract with G-P for the workers in the mill had expired, and the prospects for a peaceful round of negotiations or a new and improved contract did not look good to the workers.

The results of the just-expired contract, including its wage rollbacks in exchange for “productivity bonuses,” had been disastrous. G-P had not honored their promise to restore the wages they had cut the previous round of negotiations in 1985. The bonuses had only been paid the previous year and amounted to less than a third of the wage cuts for that year alone.¹

: An anonymous rank and file worker elaborated:

“We never got any (wage restoration) until this last year, and for this year’s bonus I’ve probably got about three thousand bucks, but for every year they took 30 percent from me, I lost seven thousand...what they’re doing is they gave you half of your first year’s (1985) wages back in bonus but kept the other three and one-half (years) that they got from you from the steal...that’s what it is.”²

¹ “G-P Earnings Earn Employees Wage Restoration for 1987”, staff report, *North Coast News*, January 21, 1988.

² “Fort Bragg Mill Workers Want Change”, by Mike Koepf, *Anderson Valley Advertiser*, June 21, 1989.

The union officialdom had pushed the bonus system, arguing that it was necessary to save the union from demise (especially in light of the successful union busting by G-P's offspring, Louisiana-Pacific), but in fact, it had substantially weakened the union further. The bonus system put the workers in a "damned if they did, damned if they didn't" position, because the drive to productivity created incentives to ignore safety protocols (such as OSHA regulations on PCB spills). It eroded solidarity in favor of cutthroat competition. Worst of all, it economically tied the workers into the cut and run philosophy of logging, as more cutting theoretically meant bigger bonuses. It undermined the very principles of unionism.³ It led many to ponder the question, "who needed gyppos when G-P could destroy the union with the union's blessing?"⁴

It's not as though G-P hadn't increased its productivity. Indeed, it had, more than ever. During the course of the now expired contract, Georgia-Pacific had modernized a portion of the mill, which allowed the company to automate tasks and downsize its workforce. It was understood that the new quad mill had been financed through the previous contract's wage cut. Essentially, the workers had funded their own demise.⁵ Plans were afoot to implement further automation in the new quad mill, including the installation of an automatic stacker. Many of the workers perceived that the quad mill (#2) would be duplicated in the older, more labor intensive mill (#1) and even more losses would follow.⁶ Indeed, it signaled a trend that was likely to affect the entire industry, as more and more mills were computerizing their entire milling process.⁷

Georgia-Pacific wasn't offering to restore the wage cuts, however. No, indeed, they weren't. They were pushing for further concessions! The company was offering only a 3 percent annual wage increase each year for a four year deal, a 12 percent increase, which only amounted to half of the rollback.⁸ The onetime bonus didn't come close to bridging the gap, and much of that was surrendered in state and federal taxes.⁹ The company was adamant, however, that there would be no restoration of the 25-30 percent wage cuts taken three years previously. There would be no signing bonus and no increase in health and welfare benefits.¹⁰ It wasn't as though Georgia Pacific couldn't afford to be more generous. The company was charging record prices, and earning record profits.¹¹ One of the mill's planers stated, "(I) bought lumber last year and it

³ "Workers of Mendoland Unite!", by Roanne Withers, *Anderson Valley Advertiser*, July 26, 1989.

⁴ "GP Workers Want Change: Federal Mediation in Fort Bragg", by Crawdad Nelson, *Anderson Valley Advertiser*, July 26, 1989.

⁵ Koepf, June 21, 1989, op. cit.

⁶ Crawdad Nelson, July 26, 1989, op. cit.

⁷ "High Tech Moves Into the Woods; Computers Replace Men at Mills," by Jeff Peline, *San Francisco Chronicle*, August 28, 1989.

⁸ Koepf, June 21, 1989, op. cit.

⁹ Crawdad Nelson, July 26, 1989, op. cit.

¹⁰ Koepf, June 21, 1989, op. cit.

¹¹ "Workers of Mendoland Unite!", by Roanne Withers, *Anderson Valley Advertiser*, July 26, 1989.

cost two hundred and sixty dollars a thousand for Doug fir. I bought the same damn lumber this year and they're charging me four hundred and six dollars a thousand!"¹²

The membership was angry, and they were letting Don Nelson know it, but the union official seemed quite unwilling to challenge the company line. In meetings held Wednesday, June 14 during the day and Thursday night, June 15, over 100 rank and file mill workers outspokenly excoriated G-P's demands as well as Nelson's leadership. The leadership may have still been willing to slit its own throats, apparently, but the rank and file were openly discussing striking and taking direct action:

"The lumber industry is boomin' now. We got to stop' em from shipping it out. They got six or seven months worth of lumber stored in those sheds down there. They could last us out just by having their bosses ship it out on trucks. So all it is, is a matter of gettin' on Highway Twenty and stopping the trucks."¹³

Nelson argued that the majority of the union membership endorsed his strategy, although members countered that what he actually meant is that the union's leadership committees, which were composed of older, better paid, higher seniority members—members who shared Nelson's collaborationist "don't make waves" philosophy—had endorsed it. Although these committeemen were elected, they had recently enacted a policy that they served indefinitely until they stepped down or were removed by a vote of the membership—a vote that required a two-thirds supermajority. "This is the majority right here, and we're tellin' you right goddamn now what we want," said another worker who stood up in defiance of Nelson's definition of what constituted "a majority". Some of the members hinted they might start a recall drive against him. All of the rank and file rancor and talk of direct action evidently rattled the embattled union official. At one point, during the second meeting, Nelson almost walked out, because the pressure of being questioned and scrutinized by his membership overcame him.¹⁴

It seemed as though a sleeping giant was indeed ready to awaken. The 1985 contract had been approved by an almost four to one margin, and similar concessions had been gained throughout the industry, making the G-P offer industry standard. Harry Merlo's phalanx of union busting had initiated the rising wave of concessions and givebacks. In 1985, however, many of the workers seemed willing to believe that they had interests in common with their employer, but they had discovered, much to their dismay, that the company had deceived them. Don Nelson who "refused to negotiate in the press" (no doubt lest he be exposed further as a collaborator) even if one member of the press were his own son, Crawdad Nelson, still insisted that G-P's offer was well within industry standards. However industry standards were in part determined

¹² Crawdad Nelson, July 26, 1989, op. cit.

¹³ Koepf, June 21, 1989, op. cit.

¹⁴ Koepf, June 21, 1989, op. cit.

by the unions' willingness to collaborate with capitalist demanded concessions, and so far, both the IWA and Western Council of Industrial Workers (WCIW), the two largest unions representing lumber industry workers had done nothing but capitulate. To make matters worse, the leadership of both unions had uncritically accepted the cut and run forestry of the employers. In Fort Bragg, however, the vast majority of the rank & file wasn't sharing in that vision after all. Less than one month following the contentious June meetings, despite the presence of a federal mediator, the workers voted by a 400-55 to strike.¹⁵

The vote was a shocking development. Corporate Timber had thus far successfully beaten the business unions into submission. G-P spokesman Don Perry publically doubted that the workers would actually follow through on their vote. Don Nelson likewise downplayed the significance of the referendum, but in all likelihood this was a front.¹⁶ Sensing that his political future was in serious jeopardy, Nelson and his cronies, assisted by a federal mediator, told the rank & file that if they chose to strike, G-P would close the mill, and everyone would lose their jobs. They then purged the dissidents from the vote counting committee, and voted a second time. This time, the contract was accepted.¹⁷ Once again, "a trade union had aided the employing class to mislead the workers into the belief that the working class had interests in common with their employers." The IWW had been vindicated, albeit in a backhanded way, once again. Sadly, the rank and file, whom sorely needed a union like the IWW, at least for the time being, were out of luck.

¹⁵ Crawdad Nelson, July 26, 1989, op. cit.

¹⁶ "G-P Strike Threatens Fort Bragg Mill", by Keith Michaud, *Ukiah Daily Journal*, July 21, 1989.

¹⁷ "Mediators Intervene in G-P Negotiations", *Santa Rosa Press Democrat*, August 7, 1989; and "Timber Wars", by Judi Bari, *Industrial Worker*, October 1989.

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

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

denied that accidents had increased, and neither TEAM nor WECARE 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

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.

ownership, later investigations by US Attorney General Edwin Meese (who was hardly one to question Corporate Timber hegemony) could find no records 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 contractors." 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

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

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

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."

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 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

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.

¹³ Simmons, August 3, 1989, op. cit.

¹⁴ Gravelle, July 29, 1989, op. cit.

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 formality 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?

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

21. You Fucking Commie Hippies!

“Fort Bragg has bred a race of people who live in two-week stints, called ‘halves’ which end every other Thursday with a trip to the bowling alley for highballs and to cash the paycheck. The most altruistic among these are church-going, family-and-roses, four-holidays-a-year American workers. At the other end of the line (sometimes in the same body) are people who would kill hippies with a certain fundamental zest; who are still angry about events of twenty years ago and have been patiently tearing up the woods ever since...People want to work the last few years [while the forest lasts], go back into the hard-to-reach places and cut those last trees, the way a tobacco addict wants to smoke all the butts in the house when stranded.”

—Crawdad Nelson, June 28, 1989

“It’s time for loggers—and employees of nuclear power plants, for that matter—to consider the idea that their jobs are no longer honorable occupations. They have no God-given right to devastate the earth to support themselves and their families.”

—Rob Anderson, June 21, 1989

With the arrival of summer, Corporate Timber organized its biggest backlash yet against the efforts by populist resistance to their practices, particularly the possible listing of the Northern Spotted Owl as an endangered species. Masterfully they whipped up gullible loggers and timber dependent communities into a mob frenzy, framing the very complex issue as simply an opportunistic effort by unwashed-out-of-town-jobless-hippies-on-drugs to use the bird to shut down all logging everywhere forever. At the very least, they predicted (lacking any actual scientific studies to prove it) that listing the spotted owl as “endangered” would result in as much as a 33 percent reduction in timber harvesting activity throughout the region. Nothing could be further from the truth in the timber wars, of course, but that didn’t stop the logging industry from bludgeoning the press and public with this myth to the point of overkill.

A sign of the effectiveness of Corporate Timber’s propagandizing was the rapid adoption by timber workers, gyppo operators, and residents in timber dependent communities of yellow ribbons essentially symbolizing solidarity with the employers.¹ This

¹ “Timber Reps Express Concern”, by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, July 27, 1989.

symbol was far simpler than Bailey's "Coat of Arms", and such activity was encouraged, albeit subtly, by the corporations themselves, but the timber workers who had already been subjected to a constant barrage of anti-environmentalist propaganda were swayed easily.² One industry flyer even went so far as to say, "They do not know you, they have never met you, and the probably never will meet you; but they are your enemies nonetheless." Yellow ribbons had been used for this purpose for several years already, but never on such a widespread scale.³ Many of those sporting yellow ribbons, particularly on their car or truck antennae adopted other symbols as well.⁴ These included t-shirts, bumper stickers, and signs with slogans such as "save a logger, eat an owl", "spotted owl: tastes like chicken", or "I like spotted owls: fried."⁵ Gyppo operators even began organizing "spotted owl barbecues" (with Cornish game hens standing in for the owls).⁶

All of this was anger directed at the environmentalists in a frenzy, which even the biggest enablers of Corporate Timber privately conceded was "knee jerk". Pacific Lumber president John Campbell did what he could do sow more divisions by denouncing those that sought to preserve the spotted owl as "Citizens Against Virtually Everything" (CAVE).⁷ Louisiana Pacific spokesman Shep Tucker declared, "We want to send a message across the country that this is not acceptable, and we can do it by pulling out all of the stops and descending on Redding in force."⁸ As if this weren't enough, local governments of timber dependent communities, including Redding, Eureka, and Fortuna, got into the act and passed resolutions opposing the listing of the owl as endangered.⁹ The climate of fear generated by this effort was so intense that Oregon Earth First!er, Karen Wood, who—with a handful of other local Earth First!ers—had walked picket lines in solidarity with striking Roseburg Forest Products workers, commented that one could not venture into a single business without seeing pro-Corporate Timber propaganda in her timber dependent community.¹⁰

Congressman Doug Bosco, ever eager to seize the opportunity to insert himself in the middle of a timber-related controversy, often to the consternation of the environmentalists who saw his actions as thinly veiled attempts to pander to Corporate Timber, was no exception. In early July, the Congressman journeyed to Humboldt and

² "Timber Wars: Footloose Wobs Urgently Needed", by Judi Bari, *Industrial Worker*, October 1989.

³ "Who's the Enemy?", editorial by Tim McKay, *EcoNews*, October 1989.

⁴ "Reactions to Owl No Surprise", guest opinion by David Kaupanger, *Humboldt Beacon and Fortuna Advance*, July 27, 1989.

⁵ "Timber Wars: Footloose Wobs Urgently Needed", by Judi Bari, *Industrial Worker*, October 1989.

⁶ Kaupanger, July 27, 1989, op. cit.

⁷ "Over the Edge: Cavers Against Everything?", by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 24, 1989.

⁸ "Lumbermen to Besiege Owl Hearing", by Mike Geniella, *Santa Rosa Press Democrat*, August 15, 1989.

⁹ "Fortuna Passes Resolution: Opposes Owl Proposal", by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 10, 1989.

¹⁰ "Big Lie on Owls", letter to the editor by Patricia Miller, *EcoNews*, October 1989.

Mendocino Counties to express his “grave concern” for the potential economic devastation to these timber dependent economies. On Friday, July 7, Bosco met with 30 North Coast representatives of the timber industry. Later that evening he convened a press conference at the Eureka Inn. There, he declared:

“We have before us an enormous challenge as well as a great crises in the form of the spotted owl. I wanted to make the industry people and the community as a whole up here aware that that this is a very big crisis—the biggest one we have faced. It is greater than the Redwood National Park expansion. This area cannot sustain (a near 33 percent) loss (of timber harvesting activity).”¹¹

Bosco tried to appear balanced and claimed that he was concerned about the Spotted Owl as well, stating:

“If we were to get rid of the old growth forests, the second growth would never be the same thing, and, in that sense, the spotted owl is a good thing, because it pointed to the fact that we have to pay close attention that is necessary to protect the species. The misfortune of the whole thing is that we apparently are going to do that in an abrupt manner that will not allow for the type of transition that we hoped for.”

In an effort to provide this supposed transition, Bosco called for legislative action that would delay the new rules created as a result of the listing—an unprecedented attempt at an end-run around the Endangered Species Act, which—if allowed—quite possibly could have greatly undermined it, thus demonstrating that the congressman’s attempts at “balance” were illusory.

Bosco’s statements were scarcely different than those of the *Humboldt Beacon and Fortuna Advance* which likewise called for “restraint” and “dialog”:

“We support the effort of the US Fish and Wildlife Service in its attempt to determine the status of the spotted owl. It is a study that should have been conducted years ago. But we question the decision to shutdown (sic) logging on federal lands. The owl has not been determined to be a threatened species. What happens to the thousands of timber workers and their families when mills close while the FWS studies the owl? How will the Northwest economy, which is tenuous at best, fare?...All parties must come to the table with compromise on their agendas at next month’s public hearings on the spotted owl. We need negotiations that take place in the spirit of constructive dialog. Rhetoric needs to remain at home. Needed is a settlement conducive to the well-being of wildlife and industry.”¹²

¹¹ “Doug Bosco Sounds Alarm”, by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, July 13, 1988.

¹² “Ban on Harvest is Unwise”, editorial, *Humboldt Beacon and Fortuna Advance*, July 13, 1989.

It took a great deal of chutzpah for the one publication on the North Coast which had backed Maxxam and L-P at virtually every opportunity and constantly denounced Earth First! using precisely the same rhetoric uttered by the likes of Shep Tucker and John Campbell to suddenly claim to be a moderate voice in a debate that was already significantly skewed to the far right. They scarcely meant it in any case, because in each successive issue, the intensity of their vitriol towards the environmentalists waxed heavier and heavier to the point that it was difficult to imagine any position more reactionary than their own. This was evidenced by their opining favorably about the formation of the Yellow Ribbon Coalition in Oregon (to which WECARE was aligned), specifically:

“The Yellow Ribbon Coalition was formed to protect (timber) jobs, the timber heritage, and personal property rights. That’s why you see yellow ribbons flying on the antennas of cars and trucks.

“Throughout hundreds of small towns and cities in the Northwest, yellow ribbons are displayed. They symbolize the alarm and outrage felt when confronted with the environmentalists agenda of severely scaling back or ruining the timber industry. They symbolize the solidarity of the rural working person whose livelihood is threatened...

“In this unity there is strength. In strength there is a mobilization of political power. It is this type of unity and subsequent political power preservationist groups have used to force their agenda into the public arena.”¹³

These opinions were essentially verbatim regurgitation of the Yellow Ribbon Coalition’s own propaganda, which the *Humboldt Beacon and Fortuna Advance* published as a guest editorial a mere three weeks later.¹⁴ Such rhetoric, provided one substituted “swastika” for “yellow ribbon” and “Jew” for “environmentalist” would have been quite at home in Nazi Germany in the 1930s, and this was a connection that many environmentalists quickly recognized.¹⁵ Tim McKay had a substantially different perspective on the symbolism than *Humboldt Beacon and Fortuna Advance* editor, Glenn Simmons, declaring instead:

“When people ask me what the yellow ribbons mean, I tell them they are the symbols of the industry’s campaign against the enemy: It is the flag for what it portrays as a struggle to maintain a rural life-style and support an army of honest, hard-working middle Americans.

¹³ “Over the Edge: Yellow Ribbon Coalition Forms”, editorial by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 3, 1989.

¹⁴ “Ribbon Symbolizes Solidarity”, guest editorial by the Yellow Ribbon Coalition, *Humboldt Beacon and Fortuna Advance*, August 24, 1988.

¹⁵ Bari, October 1989, op. cit.

“I have resisted the temptation to start a campaign of green ribbons, both because I am tired of the endless adversarial relationships and because, in fact, I do know people who work in the timber industry.

“I don’t want to destroy them and I empathize with their plight. Knowing that, however, doesn’t change the fact that a time for balance is long overdue. So when an NEC member said, Why not sport rainbow ribbons?” it seemed like the perfect way not to exclude people of the yellow persuasion while presenting the need for balance and equity.”¹⁶

If Corporate Timber’s enablers, including the *Humboldt Beacon and Fortuna Advance* were really interested in “negotiations” and “dialog”, they had an extremely odd way of demonstrating it. They certainly no hesitation in publishing opinions full of bigotry and lies about environmentalists (as well as wildly inaccurate and unscientific arguments about forestry), such as those of ICARE director David Kaupanger, which included whoppers such as:

“The preservationist groups—the force behind this political decision—are made up of members who make twice the income (the workers) do. These hard working timber workers are justifiably resentful of people who have nothing better to do than put them out of work...

“History has proven that preservation in most cases harms more than it preserves. These people would stand on the sidelines and cheerfully watch our forests burn up. I can guarantee if that happens they see to it that the burned timber will rot, rather than be salvaged to build homes with, as they did and are continuing to do in the west after the 1987 fires...

“The scientific fact (sic) is that old-growth forests, because they are decaying and are not in the vigorous growing stage of their life cycles, produce much less oxygen than young, healthy forests...

“I have a videotape of the Western Public Interest Law Conference held in Eugene, Oregon in march 1988 (attended by the Sierra Club, Earth First!, and other kindred (sic) spirits) in which the preservationists admit that they themselves care about the owl only as a means to stop the cutting of old-growth timber. They say if they didn’t have the owl as a surrogate they would have to genetically produce one.”¹⁷

There were few environmentalists—other than an occasional dingbat letter writer to the *Earth First! Journal* whose opinions certainly didn’t reflect 99 percent of the rest of Earth First! or the *Journal’s* contributors for that matter—who actually held such views. Nor did the vast majority of environmentalists typically write similar screeds

¹⁶ McKay, October 1989, op. cit.

¹⁷ Kaupanger, July 27, 1989, op. cit.

from their own perspective full of absolute lies and vile hatred, but in any case, the *Humboldt Beacon and Fortuna Advance* (who no doubt had equivalents throughout other regions of California as well as Oregon and Washington) never offered them a chance to rebut such vitriol. Nor did they report that several environmentalist organizations, including the Oregon Ancient Forest Alliance, had crafted plans that would preserve the owl's old-growth habitat, allow for the harvest of as much as 1.4 bbf in 1989, and *not cost a single timber job*, all from the simple act of banning raw log exports.¹⁸

* * * * *

Earth First! had no time to let the propaganda faze them. At the 1989 Round River Rendezvous, in late June and early July, Earth First!er Jake Jagoff had already hatched the idea of a nationwide day of tree sitting with the theme "Save America's Forest," and the connection between deforestation and global climate change. The Earth First!ers there reached quick consensus and chose the week of August 13 to be the target date. Darryl Cherney took on the role of national spokesman, proclaiming that together, Earth First!ers would soon make tree sitting America's "new national pastime", and Jean Crawford volunteered to serve as the national coordinator. Tree sits were planned in over seven states, including California, where Judi Bari would be the statewide coordinator. Only an increasingly burned out Greg King registered any hesitation, but eventually joined in the efforts, and set to work gathering equipment.¹⁹ Accompanying the tree sitters would be coordinated on-the-ground protests in solidarity with the demonstrators positioned high up in the trees.²⁰ This would be one of the most widespread weeks of actions ever organized by Earth First and at the same time, each action would be locally autonomous. With each action, Earth First! was improving on its technique of coordinated, decentralized actions.²¹

Jean Crawford eloquently summarized the urgency of the actions on ecological grounds, stating

mso-bidi-font-size:"Having wasted much of their corporate forest lands, big timber companies are now devouring the National Forests as well. Forests are the lungs of the planet. In order to stop the greenhouse effect, it is not enough to just save tropical rainforests, we must stop the deforestation of America.";²²

Karen Wood stressed the importance of not giving in to corporate pressure:

¹⁸ "Spotted Owl Shakeout", by Tim McKay, *EcoNews*, July 1989.

¹⁹ "EF! Takes to the Trees", by Loose Hip Circles, *Earth First! Journal*, Mabon / September 22, 1989; Loose Hip Circles is actually Jean Crawford. The pseudonym is a humorous homage to her skill as a belly dancer as well as fellow Earth First!er Lone Wolf Circles.

²⁰ "Nationwide Tree Sit!", press release, *Mendocino Commentary*, July 20, 1989 and *Country Activist*, August 1989.

²¹ "EF! Takes to the Trees", by Loose Hip Circles, *Earth First! Journal*, Mabon / September 22, 1989.

²² "Nationwide Tree Sit!", op. cit.

In the midst of ‘Save a Logger—Eat an Owl’ t-shirts and the nazilike Yellow Ribbon Campaign where businesses and individuals are ostracized if they don’t fly a yellow ribbon in support of the timber industry, Oregon Earth First! continues to make a strong stand for the forests with over 75 people arrested this year alone.;²³

Darryl Cherney stressed, however, that the event was not being conducted in direct response to the timber industry backlash against the spotted owl, but rather in response to the ongoing threats to the entire forest system of which the owl was but a symptom. He explained, “This *is* obviously spotted owl week, (but) the timber crisis is culminating to such an extent right now, that now’s the time to do it. We want to place (job losses) where (they belong) and that’s with log exports, automation, and corporate greed.”²⁴ “It’s not owls versus jobs, it’s clean water versus patio decks, fresh air versus paper towels,” he added. Judi Bari agreed, but framed the issue in terms of class, clarifying, “While yuppies from L.A. and Marin are bathing in their old-growth redwood hot tubs, a national treasure is going down the drain.”²⁵

Before the actions even reached a full head of steam, however, on Monday, Louisiana-Pacific was fined nearly \$750,000 for contaminating the ground water at its facility in Calpella, which had been going on for years and resulted in toxic chemicals seeping into the Russian River, which is the main source of drinking water for thousands of residents in Sonoma County to the south. Additionally, L-P’s pulp mill in Samoa and its fiberboard facility in Hayward, California were also facing increasing scrutiny from a plethora of state and federal regulatory agencies for water, air, and soil contamination.²⁶ One day later, OSHA announced that G-P was *indeed* liable for willfully

²³ “Nationwide Tree Sit!”, op. cit.

²⁴ Geniella, August 15, 1989, op. cit. Emphasis added.

²⁵ “Up in Trees: Activists to Protest Logging Practices”, by Mike Geniella, *Santa Rosa Press Democrat*, August 8, 1989.

²⁶ “Timber Profits First!, Earth Maybe Second, Workers Nowhere in Sight”, by Bruce Anderson, *Anderson Valley Advertiser*, August 23, 1989 and “LP Plans Mexico Expansion”, by Richard Johnson, *Mendocino Country Environmentalist*, September 15, 1989. L-P’s record of abuse had been well documented by the responsible agencies for years, though the latter had done little or nothing. The company’s wood treatment plant was approved in 1981 under the condition that there would be no discharge of wood treatment chemicals from the facility. Investigators found heavy concentrations of copper, chromium, and arsenic. In 1986, the Water Quality Control Board discovered 190 ppb arsenic, 260 ppb copper, and 310 ppb chromium in storm water discharges into Helmsley Creek. The numbers were similar in 1988. For a corporation claiming to be hamstrung by environmental regulations, they certainly seemed to get away with violating them on a routine basis. Long time Mendocino Green, Meca Wawona pointed out that if L-P were assessed the fine actually mandated by existing laws, they would have owed \$3 million. Instead, their fines totaled \$10,000. This was no doubt a result of economic blackmail by the corporation, as county Water Quality Board Chair Al Beltrami admitted that they were reluctant to assess the full amount in fear that L-P might abandon Mendocino County entirely. L-P was the second largest taxpayer in the county at the time.

exposing its workers to toxic PCBs at the Fort Bragg Mill.²⁷ Feeling vindicated, Treva VandenBosch stated, "I know the laws are out there to protect us, and now maybe we're finally being heard."²⁸ The news was an unexpected extra shot in the arm to the week of action.

National Tree Sit Week was more successful than anyone could have imagined. Colorado Earth First!ers staged a tree sit west of Rocky Mountain National Park in the Arapaho National Forest, protesting an impending Louisiana-Pacific cut of the Bowden Gulch Sale, which threatened old growth spruce and fir at over 10,000 feet above sea level. Tree sitters Glen Ayers, Greg Kyle, and Scott Ahorn hung a huge banner from the perch reading, "THE ROAD STOPS HERE – EARTH FIRST!".

Meanwhile, Earth First!ers in Massachusetts staged the first ever tree sit in on the East Coast on Mount Graylock, one-eighth of a mile away from the Appalachian Trail. Earth First!ers Snaggle Tooth, Tom Carney, and others spearheaded a protest of a development which threatened the New England wilderness.

Simultaneously, tree sitters Jake Jagoff, Gus, and Mary took action for Wild Rockies Earth First! in Swan Valley, Montana, displaying banners reading "SURVIVAL or STUMPS"; "LIVE WILD"; and "STOP the RAPE".

New Mexico Earth First! made their stand at Barley Canyon. Tree sitters Steve Forest and Gary Schiffmiller perched between 25 and 60 feet in the canopy of threatened Ponderosa Pines while Earth First!ers Katherine Beuhler and Rosa Negra locked themselves to a bulldozer using kryptonite bicycle locks. They displayed a banner reading, "SAVE SW OLD GROWTH".

In Oregon, Earth First!ers experienced their only major resistance as they were ambushed by the USFS after spending 18 hours hauling gear 1.5 miles to their targeted location in Willamette. Earth First!er Jay Bird responded by staging a tree sit outside of Oregon Senator Mark Hatfield's office, complete with two banners, reading "NO DEAL HATFIELD – LET JUSTICE PREVAIL" and "YOU CAN'T CLEARCUT YOUR WAY TO HEAVEN", the latter the title and chorus of one of Darryl Cherney's best known songs; this action made national news. Meanwhile, 100 demonstrators protested at the Willamette National Forest headquarters which had already been adorned with a banner, hung by unknown demonstrators, reading, "NATIONWIDE TREE SIT, EARTH FIRST!, CLEARCUTS STINK". To emphasize the point, the banner hangers had sprayed the area with skunk scent.

Washington Earth First!ers organized two separate tree sits. One action took place in western Washington at Goodman Ridge in the Derrington District of the Mt. Baker Snoqualmie National Park in a proposed THP between Boulder River and Glacier Creek Wilderness Area, involving three tree sitters: Tony Van Gessel, Amy Goforth, and John Deere. The other action, organized by Okanogan Highland Earth First!, took

²⁷ "G-P Mill Fined for Spilling Chemicals", by Mike Geniella, *Santa Rosa Press Democrat*, August 17, 1989.

²⁸ Bruce Anderson, August 23, 1989, op. cit. and Johnson, September 15, 1989, op. cit.

place in eastern Washington in the Colville National Forest at the Cougar-Bear THP of the Republic Ranger District in the Kettle Range, in which tree sitters Tim Coleman and Strider Vine made their stand 75 feet in the air. Their particular action received TV coverage in Washington as well as Montana.²⁹

Time magazine covered the mobilization with an article (published the week of August 28, 1989) and photographs, including one of a banner reading “stumps suck!”³⁰ The organizers felt the article was balanced and made a good case for tightly controlled, limited cutting of old growth forests.

By far, however, the most extensive actions took place in northwestern California. There, Earth First! staged three tree sits and nine actions in total, thus making twelve tree sits in seven states overall.³¹ Two of the three California tree occupations took place in Mendocino County.³² One of these was the first all women tree sit which took place on Sherwood Road on land adjacent to a Georgia-Pacific clearcut and a nearby L-P harvest site near the town of Fort Bragg on Monday, August 14, 1989.³³ The three women in the trees included 31-year-old Pamela McMannus, a former National Parks employee-turned-recycler from San Diego, California, from whose tree platform hung a banner that read, “STUMPS SUCK!”³⁴ She was joined by 22-year old Alameda resident Helen Woods, who stated:

“I am sitting in the tree to make a planetary statement: Such catastrophic behavior must cease. Corporate-patriarchal America with its Rambo mentality has got to realize the repercussions of such ecoterrorism against our Mother. How much more destruction need there be before we realize the lives that are at stake are our own? Earth First!”³⁵

These thoughts were echoed by her comrade, Jenny Dalton, who declared:

“Here in the northwest a mere 5 percent of these forests vital to our existence remain. How can we, the inhabitants of this earth, turn our heads as a few corporate leaders put a price on the livelihood of all species, present and future. I am sitting in this tree to take a stand against this insanity. We the women of this tree-sit represent a populace unwilling to succumb to the madness.”³⁶

²⁹ Loose Hip Circles, September 22, 1989, op. cit.

³⁰ “Showdown in the Treetops; Conservation Activists Stage a High-Altitude Sit-in to Save the Ancient Forests”, by Michael D Lemonick, *Time*, August 28, 1989. The article did not cover the events in California at all, however.

³¹ “Californians Start a New Fad: Tree Sitting Becomes a Pastime”, by Judi Bari, *Industrial Worker*, August 1989 and *Earth First! Journal*, Mabon / September 23, 1989.

³² Bari, August 1989, op. cit.

³³ “Earth First! Group Stages All-Women Tree Sit Near Fort Bragg”, by Judy Nichols, *North Coast News*, August 17, 1989.

³⁴ Nichols, August 17, 1989, op. cit.

³⁵ “Women in the Trees”, press release, *Country Activist*, September 1989.

³⁶ “Women in the Trees”, press release, *Country Activist*, September 1989.

Gesturing towards the G-P clearcut in which the tree-sit occurred, ground coordinator Judi Bari elaborated further, stating, “This isn’t logging; this is a massacre...These are the third-growth trees here. These are the babies, about 40 years old, that they’re taking now. They’re taking every last tree they can scrape off the dying earth.”³⁷

Even though the sit did not actually occur on G-P land, the company decided to make a showing of force anyway. During the late afternoon of August 14, a security detail appeared and warned the sitters and support crew that they had been using the company’s private logging road. The road was actually an unmaintained county road leading to a smaller dirt track which had once been a county stagecoach route, but G-P claimed that the road was no longer public.³⁸ The security team then proceeded to record the license numbers from the demonstrators’ vehicles, but since the action did not blockade an active logging site, no law enforcement appeared. Instead, G-P spokesman Don Perry informed the press, “We told them that they were on private property and that’s about it. We’re not going to try and pull anybody out of a tree. I was amazed at their ability to get all that equipment up there. It takes strength and nerve.”³⁹ Louisiana-Pacific also reacted nonchalantly, but firmly to the demonstration. “We haven’t been able to confirm today that (the sitters are) actually on our land [they weren’t], but if they are, it’s trespass and we will treat it as such,” declared Shep Tucker, emphasizing that the corporation intended to invoke the ever sacred right of “private property” to log with impunity.⁴⁰

Even though the action did not target an actual logging operation, the activists still believed their actions had a direct effect. One of the support crew, Paul Owens, whose father once worked at the G-P mill declared, “I don’t think people really understand how fast the wilderness is disappearing”, stressing the urgency of the action.⁴¹ Judi Bari noted that the clear cutting of younger trees was an attempt by Georgia-Pacific to cut and run and liquidate their holdings. She reiterated that the union workers at Georgia-Pacific were just as much victims as the forests, because “their jobs go with the trees.” G-P spokesperson Don Perry denied that the company had plans to cut and run, repeating the familiar talking point about “replanting”, specifically that they grew 2.5 million seedlings annually. Bari countered by pointing out that the company only did this because it was required by law, and that G-P’s implementation of the same was inadequate and ineffective, because the new saplings, which had evolved to grow as understory trees could not survive exposed to the sunlight in a clearcut. Perry

³⁷ Nichols, August 17, 1989, op. cit.

³⁸ “Earth First! Stages Local Protest”, by Lind Dailey, *Mendocino Beacon*, August 17, 1989.

³⁹ “Earth First! Protesters Perch in Trees”, by Pat McKay, *Santa Rosa Press Democrat*, August 15, 1989.

⁴⁰ “Environmental Radicals Protest”, by Catherine Bowman, *San Francisco Chronicle*, August 15, 1989.

⁴¹ “Earth First! Protesters Perch in Trees”, by Pat McKay, *Santa Rosa Press Democrat*, August 15, 1989.

admitted that he couldn't predict how many seedlings would actually grow and survive to become mature trees.⁴²

The tree sitters came down on Wednesday, but the platforms and gear were then "recycled" and relocated to a location near Navarro on California State Highway 128, the main route taken by tourists from Cloverdale to Fort Bragg.⁴³ There the platforms were raised into the redwoods on opposite sides of Flynn Creek Road⁴⁴, and tree sitters (two men this time) hung banners reading, "CLEARCUTTING IS ECOTERRORISM" and "STOP REDWOOD SLAUGHTER".⁴⁵

The third tree sit, led by Greg King who was accompanied by twenty supporters, took place in Humboldt County in Arcata in the trees of State Assemblyman Dan Hauser's front yard. According to Greg King, "Hauser wouldn't even come outside to argue."⁴⁶ The Assemblyman, who was sitting down to lunch, did talk to the media, however and expressed concern about the tree in his yard, at least, stating, "(It's) a very, very old black walnut tree. I just hope they don't hurt it."⁴⁷ He was by no means supportive of the protesters, declaring, "If you let me know what they support, I'll oppose that."⁴⁸

The actions were not merely limited to the forest canopy, and were joined not just by Earth First!ers and IWW members, but many others as well. At least six different actions also took place on the ground throughout the state. On Monday, August 14, 25 demonstrators once again protested Maxxam's takeover of Pacific Lumber at the P-L sales office in Mill Valley. On Wednesday, August 16, 100 people protested the USFS's subservience to Corporate Timber at their office in San Francisco. Meanwhile, Earth First!ers and IWW members assembled in the remote village of Whitethorn, near Garberville. On Thursday, August 17, demonstrators protested at Maxxam's corporate offices in Los Angeles.⁴⁹

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The Whitethorn action had been organized by local residents—who called upon the support of Earth First!ers and IWW members—against the careless and destructive logging practices of the Lancasters, a local gyppo family.⁵⁰ The locals had complained for weeks about the Lancasters' less than stellar operation, including the latter's heedlessly speeding their trucks through the area and their encroaching on land owned by

⁴² Nichols, August 17, 1989, op. cit.

⁴³ Bari, August 1989, op. cit.

⁴⁴ Bruce Anderson, August 23, 1989, op. cit..

⁴⁵ Bari, August 1989, op. cit.

⁴⁶ Bruce Anderson, August 23, 1989, op. cit..

⁴⁷ Geniella, August 15, 1989, op. cit.

⁴⁸ "Ecoguerillas Hurl Monkeywrench into Deforesters' Clear-cut Plans", by Don Lipmanson, *In These Times*, October 25, 1989.

⁴⁹ Bari, August 1989, op. cit.

⁵⁰ Bruce Anderson, August 23, 1989, op. cit..

local resident, Bill Vallotton, adjacent to the logging site.⁵¹ The demonstration had been organized as a picket and road blockade, which happened, and a fourth tree sit, which didn't, because the loggers got word it ahead of time and focused their efforts on hauling what they'd already cut previously on that day. Working until 9:30 the previous night, hauling logged hardwoods from the Lost River, a tributary of the Mattole, the Lancasters fired guns into the air every 15 minutes, as if to loudly proclaim their presence.⁵² The demonstrators made it a point to block only the trucks hauling wood away from the site, while admonishing the loggers to drive more slowly along the State Park road leading to the location. The Lancasters, led by family patriarch, Doyle, were not especially enthused by their adversaries. They had already been blockaded one month previously.⁵³

Whitethorn is little more than a hamlet, consisting of a small store, a post office, an auto-repair shop, and (at the time) a pay telephone. To the southwest lies the Sinkyone Wilderness and Whale Gulch community. Twenty years previously, the first "back-to-the-landers" to settle the north coast made their homes there, and at the time, "poets, pinkos, and pushers inhabited (that town) where rednecks grew pot and hippies carried guns."⁵⁴ Being as remote as it was, about halfway between Garberville to the east and Shelter Cove on the remotest part of the "Lost Coast", it was far away from any sort of reliable CDF or BLM oversight (such as it was). There were also rumors and even halfway reliable reports that a number of meth labs were in operation in the area, and a few of the younger Lancasters were rumored to partake in such vices. Adding to the mystique, a number of murdered corpses had even been located by the sheriff's offices of both Humboldt and Mendocino Counties, and word was that these had been related to the dealing of speed, but no conclusive proof had ever turned up.⁵⁵

In fact, the initial instigator of the tension that foreshadowed what was about to ensue was not connected with *either* side in the standoff. During the early stages of the protest, a local speed dealer, who called himself "Maniac," drove up to the blockade and demanded to be let through. He was thought to have one of the aforementioned labs and was anxious about the sudden attention this remote corner of the North Coast was suddenly getting. He was also in possession of a pistol, and the locals were apprehensive that he might use it if not allowed access. After a time, however, he left, flipping the bird as he sped away.⁵⁶

⁵¹ "Accident? Intentional? It May Depend on Your Point of View", by Keith Michaud, *Ukiah Daily Journal*, August 18, 1989.

⁵² "Lancaster Logging Altercation", by Greg King, *Earth First! Journal*, Mabon / September 23, 1989.

⁵³ Bruce Anderson, August 23, 1989, op. cit..

⁵⁴ King, September 23, 1989, op. cit.

⁵⁵ Harris, David, *The Last Stand: The War between Wall Street and Main Street over California's Ancient Redwoods*, New York, NY, Random House, 1995, pages 273-74.

⁵⁶ Harris, op. cit., pages 274.

There was no time for either side to exhale, however, because shortly after Maniac's departure, the scene at the blockade intensified. Doyle Lancaster's 70-year-old brother-in-law, known as "Logger Larry" came speeding down the local dirt track in his logging truck, charged the blockade, consisting of 30 demonstrators or so, and nearly ran down Whitethorn resident Bill Matthews.⁵⁷ "Larry" later claimed that he hadn't intentionally meant to threaten the protesters and that he "feared for his life", but Matthews disputed this, saying, "He was definitely going for it...it was intentional."⁵⁸ At that point, the rest of the Lancasters lost their composure and commenced shouting at the blockaders. According to Darryl Cherney, the Lancasters had been drinking all morning and shouting insults at the locals. At one point, Whitethorn resident Mary "Mem" Hill, attempted to photograph their adversaries' rude and provocative behavior with her camera. Lancaster's wife, self conscious that her family's behavior had crossed the line, scuffled with Hill.⁵⁹ Mrs. Lancaster threw a punch at Judi Bari (who was nonviolent, but was not adverse to defending herself) swung back in turn.⁶⁰ Doyle Lancaster then ripped the camera from the hands of Earth First!er Hal Carlstadt, a longtime peace activist (who had picked it up), and then smashed it on the ground, while Logger Larry, who had earlier sped through the blockade in his truck only narrowly missing some small children, smashed the camera lens with his axe.⁶¹

Now the Lancasters' anger escalated to the point of deadliness. 21 year old Dave Lancaster, one of their sons who, according to Cherney was not only drunk, but also "high on crank" became hysterical and then punched Hill twice in the face, fracturing her nose in the process.⁶² The younger Lancaster alternately laughed and screamed as he pushed demonstrators off of the road. He then drew a shotgun from his pickup truck⁶³ and shouted "YOU FUCKING COMMIE HIPPIES! I'LL SHOOT YOU ALL!"⁶⁴ The elder Lancaster disarmed his son and handed the gun to another employee.⁶⁵ At that moment Greg King, who was late again, arrived with a camera of his own and attempted to photograph the goings on. That act riled up the Lancasters even further. Logger Larry hit one of the locals over the head with a piece of firewood.⁶⁶ Then, Doyle Lancaster's other younger son managed to get hold of the shotgun and fired it into the air, also threatening to shoot all of the "commie hippies".⁶⁷

At long last, law enforcement finally arrived. Mendocino County Deputies, Humboldt County Sheriffs, and California Highway Patrol officers all converged at once.

⁵⁷ Bruce Anderson, August 23, 1989, op. cit..

⁵⁸ Michaud, August 18, 1989, op. cit.

⁵⁹ Bruce Anderson, August 23, 1989, op. cit..

⁶⁰ Harris, op. cit., pages 274.

⁶¹ King, September 23, 1989, op. cit.

⁶² Bruce Anderson, August 23, 1989, op. cit..

⁶³ King, September 23, 1989, op. cit.

⁶⁴ Bari, October 1989, op. cit.

⁶⁵ King, September 23, 1989, op. cit.

⁶⁶ Harris, op. cit., pages 275.

⁶⁷ King, September 23, 1989, op. cit.

They quickly determined that the Mendocino County deputies, based in Willits (more than 90 minutes away by any suitable means of transportation) had jurisdiction.⁶⁸ Once that matter was settled, they took statements from the Lancasters but refused to take testimony from Mem Hill who was the primary victim of the altercation.⁶⁹ Greg King asked one of the deputies to take action, who responded that the road was “private, nothing I can do,” which was a lie, as the road was actually publically funded. King continued to press the matter asking, “what if Lancaster keeps his promise and shoots me?” to which the deputy responded, “I can’t predict the future.”⁷⁰ Dave Lancaster was later spotted that night, stalking up and down the road *still* brandishing his shotgun.⁷¹

To numerous environmentalists and witnesses present, the disinterest shown to the activists by the law enforcement agents was clearly biased against the demonstrators. Darryl Cherney specifically declared, “(The Lancasters) are going to have the heck sued out of them. Here you have these big tough logger men who say they care about people , but look who’s punching out women, driving their logging trucks at breakneck speed past children. We’re finding out who really cares.”⁷² Judi Bari echoed these sentiments, explaining, “I don’t want them to think it’s open season on Earth First!ers because it’s not. We’re not going to tolerate this kind of violence.”⁷³

However, Cherney was to be greatly disappointed. The Mendocino County deputies directed Greg King and Mem Hill to the Sheriff’s Department in Willits. King demurred, but Hill pursued the matter. Once there, Sergeant Stapleton informed her that the matter was out of their jurisdiction, since it had taken place in CDF property. Hill was then instructed to return to Whitethorn and make her complaint with the nearest CDF ranger, assuming she could find one. She couldn’t⁷⁴

The Sheriff’s Department and Mendocino County District Attorney’s Office *then* issued a one-sided press release (based on the Lancaster’s statements and the clear omission of any contradictory evidence from those attacked by them) blaming the victims, but failing to elaborate on how Hill’s nose got broken, and DA Susan Massini refused to prosecute. Eighteen of the demonstrators, including Bari, Cherney, Hill, and King signed an open letter to the DA stating that they were appalled at her decision, even though they had submitted photos, statements, and a broken camera as evidence. The letter concluded by asking, what would have happened had an Earth First!er

⁶⁸ Harris, op. cit., pages 275.

⁶⁹ Bruce Anderson, August 23, 1989, op. cit..

⁷⁰ King, September 23, 1989, op. cit.

⁷¹ King, September 23, 1989, op. cit.

⁷² “Loggers, Protesters Get Into a Brawl”, by Pat McKay, *Santa Rosa Press Democrat*, August 17, 1989.

⁷³ “Earth First! Says it Won’t back Down”, by Pat McKay, *Santa Rosa Press Democrat*, August 18, 1989.

⁷⁴ Bruce Anderson, August 23, 1989, op. cit..

punched a logger, broken their nose and their camera, and threatened them with a shotgun instead?⁷⁵

The Ukiah Daily Journal ostensibly excoriated both the Lancasters *and* the demonstrators (acting as though *all* of them were associated with Earth First, which wasn't true), specifically singling out the protesters for "bringing their children with them," as if shielding the latter from the real world was the best way to solve the problem.⁷⁶ It evidently never occurred to the editors that perhaps the children *lived there* and had been present, because their home was being threatened by a reckless and shipshod logging operation. It was apparent to many of the demonstrators that the local authorities and press were taking their marching orders from Corporate Timber.⁷⁷

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The media had covered National Tree Sit Week fairly extensively, but they were most interested in the hearings on the spotted owl. The timber companies knew this, and made sure they were well represented in Redding on August 17 by their dozens of front groups and several thousand gyppo contractors.⁷⁸ Careful observers noted, however, that the vast majority of spokespeople present were mostly culled from the ranks of management.⁷⁹ What workers were present had been given a day's wages, bussed in, and provided with premade signs and packets full of talking points.⁸⁰ L-P had done their part. One week before the hearings, they mailed a letter to all of their employees urging them to travel to Redding, and informed them they would be shutting down their mills on that day. "We are convinced that the spotted owl is not threatened and that this is a blatant attempt to stop logging," said part of the letter. The company provided yellow ribbons to all that attended the hearing.⁸¹ Some signs (including those made by P-L) read "Pals of the Owls: Trees are America's Renewable Resource" and "Trees, Jobs, and Owls"⁸²—sentiments that, divorced from the Corporate Timber rhetoric, environmentalists would likely have endorsed in the right context. However, others read, "Preserve the Spotted Owl—Stuff it", "I Like

⁷⁵ "An Open Letter to Mendocino County District Attorney Susan Massini", by Judi Bari, et. al., *Anderson Valley Advertiser*, January 17, 1990.

⁷⁶ "It's Time to Stop the Madness", editorial, *Ukiah Daily Journal*, August 20, 1989. The editors also admonished the environmentalists to channel their activities into the established system, specifically the courts and state Legislature, quite unwilling to acknowledge the activists' contention that they had exhausted such means.

⁷⁷ "Earth First! Protests: One Week the Baron\$ Couldn't 'Log to Infinity!'", by Don Lipmanson, *Mendocino Commentary*, September 7, 1989.

⁷⁸ "Timber Industry Raises a Din Over Spotted Owl", by Stephen Archer, California Independent News, *North Coast News*, May 4, 1989.

⁷⁹ Bruce Anderson, August 23, 1989, op. cit..

⁸⁰ "Publisher's Corner", by Harold Blythe, *Mendocino Commentary*, August 24, 1989.

⁸¹ "Tree Sitters Set Up East of Fort Bragg", by Keith Michaud, *Ukiah Daily Journal*, August 15, 1989.

⁸² "Timber Workers Gather in Redding", by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 24, 1989. Evidently Simmons saw no contradiction in identifying management and executives as "workers".

Spotted Owls Fried in Exxon Oil”, and “Spotted Owl: Tastes Just Like Chicken”, which betrayed the event’s vigilante mob character.⁸³

It was because of that atmosphere (as well as National Tree Sit Week) that Earth First!ers chose to boycott the hearing. “I think there’s a real danger of violence because of some of the rhetoric the timber industry is using,” said Betty Ball, who had recommended that members of the Mendocino Environmental Center stay away. Darryl Cherney was even more direct, opining, “It’s going to be a big owl bashing circus, with people justifying the extinction of a species and destruction of our forests so they can have an extra year’s worth of work.”⁸⁴ He added,

“Anyone who wants to can put their thoughts on paper. There’s no reason to go up against 5,000 angry people. We’re not trying to save (just) a bird. We’re trying to save the forest and the planet. The Spotted Owl is an indicator species, which means if it is extinct then the health of the forest, and jobs, are at stake.”⁸⁵

Before the hearings began at 1 PM, the timber industry staged a huge rally, attended by as many as 3,000 yellow shirted people, outside of the hearing site at the Redding Civic Auditorium in 100 degree heat. Bill Dennison, the Christian fundamentalist president of the Timber Association of California (TAC) declared, “We’re going to fight, and we’re going to win!” to the roaring crowd.⁸⁶

Another one of the keynote speakers was Anna Sparks. Dressed from head to toe in yellow and wielding a chainsaw, standing from the makeshift stage on top of a flatbed truck, Sparks (as usual) gave a speech replete with Corporate Timber talking points, opining:

“You are seeing the silent majority come alive and tell their government we pay its taxes, we give you homes, we supply your computer paper, and your toilet paper. This is not a Northern California problem. This is a Los Angeles problem, because when we cannot cut trees we cannot give them homes; we cannot give our grandchildren homes in Oregon, Washington, or California, where we have to cut timber for New York City, Chicago, for those areas that desperately need homes...

“Do not list the northern spotted owl as threatened. Do not list all the species they are going to bring up and throw at you, using our system that protects our country, that protects our environment. Do not use the system against us to put us out of the very business that supports the necessities

⁸³ “Who’s the Prey?”, by Tim McKay, *EcoNews*, September 1989.

⁸⁴ Geniella, August 15, 1989, op. cit.

⁸⁵ “Series of Old-Growth Logging Protests”, by Carrie Switzer, *Willits News*, August 23, 1989.

⁸⁶ “Timber Workers Storm Out of the Woods to Protest”, by Mike Geniella, *Santa Rosa Press Democrat*, August 18, 1989.

of life. We can grow timber forever if we manage that timber properly, and we have been doing that since Christ walked on the earth.”⁸⁷

The huge crowd applauded and cheered loudly. After the standing ovation, Sparks was followed by Republican State Senator John Doolittle, who declared:

“Ladies and gentlemen, we are fighting a well-organized, very powerful, and very tiny political movement. Today we have begun to fight by marshaling the rank-and-file of these communities, who live here, who work here, who depend upon preserving the quality the environment, so that all the varied uses of the forests can occur.

“We have to stand up and be forceful in asserting our rights. After all, we have the government of the people, for the people, and by the people. We can coexist with the spotted owl. We are not against the spotted owl. In fact, this animal is flourishing as the studies have shown. These facts should lead to the conclusion to remove the owl from even the ‘sensitive’ designation. It is not threatened; indeed it is prospering.

“You and I know that after this issue is settled, there will be a snail darter, or a horned toad, or something else that will come along that will be the new justification to stop you in exercising your God-given right to liberty and to the pursuit of happiness...

“We outnumber this little group 1,000 to one. The people we are up against call themselves environmentalists. We love the trees. We love the fresh air. We love the scenic wonders of this magnificent land, so we want to make sure the best is protected.

“Over the years we have had the concept of multiple use of our federal lands. Now this concept is being attacked by far left-wing individuals who have a totally different objective in mind than simply protecting the environment...

“We should be angry; we should be focused, and we should be effective. It will begin today...as a great hero of mine once said, ‘There is no substitute for victory. Go for it and seize the colors!’”⁸⁸

Doolittle may have been quoting the words of General Douglas MacArthur, but he was channeling the organizers of witch hunts of old, and all of his statements were the familiar Corporate Timber talking points. US Congressman Wally Herger, a Republican representing the Sacramento Valley, offered similar thoughts.⁸⁹

⁸⁷ “Fiery Political Oratory Ignites Timber Supporters: Doolittle, Sparks Inspire Thousands”, by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 24, 1989.

⁸⁸ Simmons, August 24, 1989, op. cit.

⁸⁹ Geniella, August 18, 1989, op. cit.

During the hearing, Corporate Timber again attempted to make their case against that the spotted owl could exist in managed second and later growth forests. Speaker after speaker, most of them affiliated with the Timber Association of California (TAC), a Corporate Timber lobbying organization, claimed to have conducted independent studies with results contradicting the findings of the FWS. Linwood Smith, a self described independent consultant and wildlife biologist began:

“There are problems with using old-growth studies as the foundation for listing (the spotted owl as endangered). The data we have (is) in direct conflict with the FWS’s data. Given the TAC’s data, which are so contrary to the listing, a listing of the spotted owl as threatened is premature. We strongly recommend the U.S. Fish and Wildlife Service postpone the listing until additional studies can be conducted in northwestern California, particularly so we can learn more about reproductive biology, demography, and other features that are critical to our understanding of what needs to be known before a listing can be made.”⁹⁰

Smith was followed by Steven Self, another wildlife biologist aligned with TAC, who gave a similar testimony:

“Our study focuses on large tracts of extensively managed young-growth stands in a variety of habitat types. In fact the only habitat type we did not include was old growth...Of the 29 areas surveyed, we found owls using 26. Our data indicates all 29 areas are used by spotted owls. Most of the owl sites we checked contained pairs of owls. We found baby owls in many of our study areas located throughout the range of our survey. We found owls using managed young-growth forests including hardwood, prairie-forest mix, even-aged and uneven-aged.

“We found areas with two to three times as many owls as have been found in old-growth forests in Washington. If we had completed our study as the Forest Service does (its) monitoring, we would have missed many pairs of owls and a number of sites with baby owls...

“Why has no one looked where we looked? Even better, why has data developed in old-growth forest types in Oregon and Washington been used to predict that owls will not use another unsurveyed habitat type, that of our managed young growth forests?”

“(This) appears to be misleading at best and categorically wrong at worst.”⁹¹

⁹⁰ “Timber Workers Gather in Redding”, by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 24, 1989.

⁹¹ “Timber Workers Gather in Redding”, by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 24, 1989.

L-P's chief forester Chris Rowney cited a (not peer reviewed) study on 500,000 acres of Mendocino County timberland that allegedly found two-dozen owls nesting in cut-over land where they should not have been found. Georgia-Pacific forester Travis Huntley declared that owls had been found in "every timber type, including young trees not even ready for logging."⁹² Representatives from Sierra Pacific Industries and Pacific Lumber gave similar testimonies while various gyppos and small mill owners warned of certain job losses should the owl be listed.⁹³

There were few environmentalists on hand to challenge the barrage of Corporate Timber propaganda. Many had indeed stayed away, due to the mob hysteria.⁹⁴ Lynn Ryan questioned the inherent conflict of interest in the industry conducting its own surveys on the spotted owl, declaring, "I hope these studies are unbiased. I am happy to hear the owl is as healthy (as reported); however, I remain suspicious...The more I learned the experts didn't know about the spotted owl. The information (presented by the industry) is almost unbelievable."

Tim McKay likewise declared,

"Only legislation can stabilize the Forest-Service timber sale program. That legislation—whatever it might be—cannot pass into law unless environmental interests win some major concessions to ensure protection for the biological function of the forest environment.

"All of the yellow ribbons and all of the yellow ribbon men and women (wear) cannot put the forest policy status quo back together again. What is needed is a climate of mutual respect, if there is to be a resolution to this issue. But the climate only seems to be getting hotter. Remember there are millions of people out there who are watching, who think their national forests are being preserved for their scenery and wildlife. What will they think about all of this?"⁹⁵

The hearing concluded with neither the "workers" nor the environmentalists achieving any sort of meaningful resolution, and the debate would rage on hotter than ever. Meanwhile, Earth First! continued National Tree Sit Week.

* * * * *

The climactic action of national Tree Sit Week took place on the ground at an L-P cut near the second Mendocino County tree sit on August 18, 1989 near Albion, California. In the early morning, a crew of Gyppo loggers had entered the forest to work, quite unaware that dozens of activists lay in wait until the former had passed

⁹² Geniella, August 18, 1989, op. cit.

⁹³ "Timber Workers Gather in Redding", by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 24, 1989.

⁹⁴ "Who's the Prey?", by Tim McKay, *EcoNews*, September 1989.

⁹⁵ "Timber Workers Gather in Redding", by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 24, 1989.

on. Then they made their move. A sign by the road labeled “Demonstration Forest” was altered to read “Devastation Forest”, and below that was spray-painted Harry Merlo’s already infamous “we log to infinity” quotation. At 8 AM, company security realized that the woods had been occupied, and raced to the scene, where a dozen demonstrators had blockaded a logging truck. The driver at first demanded, and then pleaded that he be allowed to proceed to no avail. Realizing that he had no alternative, he reversed course, only to attempt an alternate traverse into the forest by way of a spur, but he was too late. Two Earth First!ers anticipating his actions had quickly rushed to the spur and had hastily assembled a slash blockade.⁹⁶

The angry driver alighted from his cab and went to work dismantling the blockade, while the demonstrators watched from a fair distance away. Upon completing his task, the driver returned to his cab, gunned the motor and lurched forward, but not before one of the demonstrators closed a metal logging road gate again barring the driver’s access. The livid driver once again halted abruptly, opened the gate, and then sped away in a fury. His apparent destination was the Calpella Chip Mill, and the apparent fate of the load of pecker poles he was carrying was waferboard.⁹⁷

Reinforcements arrived for the protesters as did additional forces for the County Sheriffs, led by Deputy Keith Squires, as well as a private L-P security guard. As they were huddling, Hal Carlstadt attempted to blockade an L-P service truck only to find himself grabbed by Squires and quickly thrust into the back of a police car, and hauled away.⁹⁸ This diversion allowed the remaining protestors to again close the gate and, this time, padlock it shut. This act halted a second logging truck for some time, until an L-P crew arrived and removed the lock with an acetylene torch; the truck proceeded through the once again opened gate.⁹⁹

Additional deputies arrived on scene and surrounded the gate to prevent any further closures. A third truck loaded with pecker poles arrived, driven by a 39 year old man from Boonville named Donald Blake. The demonstrators moved to intercept, and the police attempted to thwart them. Thus distracted, the sheriffs didn’t notice Judi Bari slowly driving a battered old derelict car into the truck’s path. Once there, she quickly shifted gears into park, set the parking break, and locked the doors just as the police dispersed the crowd. While the dumbstruck sheriffs scrambled to regain control of the scene, Sequoia, adorned in a giant spotted owl costume ascended to the roof of the car and danced merrily about hooting and warbling.¹⁰⁰ “You’re not taking very good care of my babies” she sang as the L-P crew looked on, helplessly.¹⁰¹ The Police were unable to dislodge the car from its spot until a tow truck was summoned for the task. The impatient logging truck driver, however, managed to negotiate his way around the

⁹⁶ Lipmanson, September 7, 1989, op. cit.

⁹⁷ Lipmanson, September 7, 1989, op. cit.

⁹⁸ Bruce Anderson, August 23, 1989, op. cit..

⁹⁹ Lipmanson, September 7, 1989, op. cit.

¹⁰⁰ Lipmanson, September 7, 1989, op. cit.

¹⁰¹ Bruce Anderson, August 23, 1989, op. cit..

blockade with some difficulty. At this point, the Earth First!ers and their allies had emptied their truck blockading bag of tricks, so they abandoned the gate and attended to the tree sitters.¹⁰²

* * * * *

The week of events had, so far, stirred up quite a range of reactions. Although they were actually combined efforts of many groups—not just Earth First!—the latter got much of the credit and, for that matter, much of the blame.¹⁰³ Some of the deputies were sympathetic to the demonstrators, however, and at least one Parks and Recreation ranger wished Earth First! well, admitting that G-P's and L-P's greed was destroying the forests and the lives of those living in the county.¹⁰⁴ Not all of the log truck drivers that passed by were hostile either; some even blasted their horns in apparent support for the tree sitters. Several demonstrators also distributed leaflets highlighting the issue to interested motorists, some of whom engaged in friendly discussion (and sometimes debate) with the former. One leafleter repeatedly emphasized, "We're not against loggers...we're only against what big corporations are doing to the woods. Clearcutting is clearcutting jobs, too."¹⁰⁵ Passersby stopped to deliver encouragement and material aid to the tree sitters, and even the local press was less hostile than usual.¹⁰⁶ Even before the week of action took place, falsified leaflets and press releases designed to discredit Earth First! referred to "National Tree *Shit* Week" were distributed in both Humboldt and Mendocino Counties. These were latter determined to be the work of Candace Boak and her associates in WECARE and Mother's Watch. More overtly, embattled IWA Local #3-469 official Don Nelson already facing snowballing scrutiny from his rank and file attempted to deflect the blame to Earth First!. In an open letter, Nelson angrily declared:

"Tree sitters and tree spikers are not environmentalists. They contribute nothing to serious debate or negotiations over the Forest Practice issue. Organized labor cannot support or endorse their actions because what they do and what they advocate is illegal and dangerous to themselves and puts

¹⁰² Lipmanson, September 7, 1989, op. cit. 12.0pt; A small handful of passersby also showed hostility, including Little River Inn proprietor Danny Hervilla. Stuck in his shiny new pickup truck behind the vehicle of a friendly motorist who proceeded to chat with one of the demonstrators, the impatient Hervilla gunned his motor and sped around the waiting cars in front of him screaming obscenities and gesturing rudely at the assembled crowd. One of the bystanders dismissed the angry inn owner as "a typical rich punk who inherited every dime to his name and thinks he runs the county." Three drunken hunters also confronted the crowd, but were distracted when a worried father accidentally slammed his car trunk lid onto his son's hands who howled in agony, which dispelled the fight.

¹⁰³ Bari, August 1989, op. cit.

¹⁰⁴ Lipmanson, September 7, 1989, op. cit.

¹⁰⁵ Bruce Anderson, August 23, 1989, op. cit..

¹⁰⁶ Lipmanson, September 7, 1989, op. cit.

woods and mill employees in dangerous situations...Tree sitters should be prosecuted like any other trespasser.”¹⁰⁷

Greg King angrily responded, “Not only do we ‘contribute’ to current timber debate, but we have for the past three years helped define its parameters. Also, to lump tree-sitting and tree-spiking as one is inaccurate, unproductive and endangers our people.”¹⁰⁸

Darryl Cherney likewise retorted:

“Perhaps (Don Nelson) should change the name over (his) door from I.W.A. to G-P. When (he comes) down from off of the fence (he) should be coming down on the *workers’* side, not G-P’s. And since (he) supposedly represents the workers in negotiations with G-P coming down on the company’s side represents a true conflict of interest. Of course, after (he) sold out the contract, we all figured whose side (he was) on. This just confirms it. Also, regarding sitting and spiking: anyone in a position such as (his) who would lump those together is engaging in linguistic terrorism, not to mention endangering our sitters.”¹⁰⁹

Don Nelson, who had once led a join picket with environmentalists against L-P And who had spoken out against the Maxxam takeover of Pacific Lumber was now expressing opinions scarcely different from Glenn Simmons, who sneeringly opined:

“As reporters we often refer to the ‘tree-sitters’ as environmentalists, but that is a misnomer, because a true environmentalist is a person who works to solve environmental problems in a constructive manner, including reasonable dialog.

“There are many environmentalists, from all walks of life, who are thoughtful, caring, and realistic. They may disagree over clearcutting, or some other environmental issue, but they are not extremists.

“Extremists such as those who protested in Dan Hauser’s front yard and who even climbed a tree in it, are those who use excessive, unconventional, drastic, harsh and radical means to get their point-of-view across to middle America.

“About the only way to attract attention when you belong to an organization such as Earth First!, is to act in the extreme—similar to a child acting out to receive attention.”¹¹⁰

¹⁰⁷ Letter to the editor by Don Nelson, *Anderson Valley Advertiser*, August 16, 1989; *Mendocino Commentary*, August 24, 1989; and *Country Activist*, September 1989, among others.

¹⁰⁸ Letter to the editor by Greg King, *Anderson Valley Advertiser*, August 16, 1989.

¹⁰⁹ Letter to the editor by Darryl Cherney, *Anderson Valley Advertiser*, August 16, 1989; emphasis in the original.

¹¹⁰ “Over the Edge: Actions Benefitting of Spoiled Child” (sic), by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 17, 1989.

Nowhere, not once, in Simmons editorial, did he issue so much as one condemnation of the Lancasters in the following issues after the loggers had acted out *their* frustrations. Evidently, only environmentalists who challenged Corporate Timber were “spoiled brats”.

In spite of these condemnations, it would soon be proven, once again, that it was not the Earth First!ers and their allies who were the actual spoiled brats or even terrorists. There was one more demonstration during National Tree Sit Week on Sunday afternoon, August 20, 1989, at the Georgia-Pacific Mill in Fort Bragg. The company had anticipated the action and shut down for two hours before the approximately 100 protesters assembled and marched down the main thoroughfare through town until the police dispersed the crowd.¹¹¹ Other than that, the demonstration itself was uneventful, though it was what *didn't* happen there and what *did* happen *elsewhere* that was of greater significance.¹¹²

* * * * *

Participants at the Fort Bragg rally couldn't help but notice that Judi Bari, Darryl Cherney, and Sonoma County Earth First!er and IWW member Pam Davis, who had been expected to join in, never arrived. The three had been en route to Fort Bragg along with Bari's daughters, Lisa and Jessica, and Davis' two sons, Nicholas and Ian.¹¹³ They were passing through the Anderson Valley town of Philo near Lemon's Market when they were hit from behind by trucker Donnie Blake, still upset about being blockaded less than 24 hours previously.¹¹⁴ The impact shoved Bari's vehicle into a nearby parked car, which was in turn shoved into a nearby restaurant.¹¹⁵ All of the occupants survived, albeit banged up, suffering concussions, whiplash, and abrasions, but Bari's car itself was totaled. Bari suffered a mild concussion and one of her daughters suffered facial lacerations from shards of the broken window glass.¹¹⁶ Pam Davis meanwhile suffered a broken bone in her right hand.¹¹⁷ According to Darryl Cherney, in a twist of sheer irony, the parked, second vehicle belonged to Fish and Wildlife researcher Kevin James who was having lunch in the restaurant with G-P seasonal biologist John Ambrose before heading out to conduct a study on the Spotted Owl.¹¹⁸ Judi Bari would later quip, “(The incident is) the whole struggle in a nutshell.”¹¹⁹

¹¹¹ Bari, August 1989, op. cit.

¹¹² Bruce Anderson, August 23, 1989, op. cit..

¹¹³ “Logging Truck Collides With Earth First!ers”, *Willits News*, August 23, 1989.

¹¹⁴ “This Man Tried to Kill Us”, by Bruce Anderson, *Anderson Valley Advertiser*, March 21, 1990 and “Earth First!ers Ask for Investigation of Attempted Murder”, by Judi Bari, *Industrial Worker*, April 1990 and *Earth First! Journal*, Beltane / May 1, 1990.

¹¹⁵ “Week of Owls, Timber, and Tempers; Factions Always Seem to be On a Collision Course”, by Mike Geniella and Pat McKay, *Santa Rosa Press Democrat*, August 20, 1989.

¹¹⁶ Bruce Anderson, March 21, 1990 and Bari, April 1990, op. cit.

¹¹⁷ “Logging Truck Collides With Earth First!ers”, *Willits News*, August 23, 1989.

¹¹⁸ “A Carload of Earth First!ers rear-Ended by Logging Truck”, by Randy Foster, *Ukiah Daily Journal*, August 20, 1989.

¹¹⁹ Geniella and McKay, August 20, 1989, op. cit.

It was uncertain at first whether or not Blake had hit the activists accidentally. According to the police report, Blake had been aware that he had been following Bari's car (a 1979 Mazda wagon) for about ten miles before the crash. The posted speed limit was 30 MPH, and there had been pedestrians in the vicinity, whom Blake later claimed had distracted his attention. However, two eyewitnesses—the first, Jean Warsing, an employee of the market who was outside pumping gasoline for the second, a man identified solely as “McCutheon”—placed Bari's speed at 25 MPH and Blake's at 45. Both recounted that Blake had showed no signs of slowing down. At first Bari was convinced that the driver had no malicious intent, declaring, “I didn't think at the time (that) Donnie Blake hit us on purpose. He had a kind face.”¹²⁰ She also believed that without a doubt the driver had been remorseful and upset.¹²¹ When the victims were being treated by paramedics, however, a visibly disturbed Blake told Bari, “The children, I didn't see the children!” which should have clued her in that he had not simply hit them accidentally.¹²²

Several months later, Bari later determined that Blake's actions were *indeed* deliberate and retaliatory. Bari recounted, “The truck was not tailgating, and he hit me without warning. There was no sound of horn or brakes.” Blake claimed he hadn't seen Bari's car in front of him, and estimated his speed at 45 MPH, but he also admitted he was aware that he had a broken speedometer. However, the California Highway Patrol did not test Blake for drugs, question him about his motives, or even give him a fix-it ticket for his speedometer. They instead went to the junkyard to test the brake lights on *Bari's* wrecked vehicle (which worked), and then came to the hospital and questioned Bari about the brake lights anyway while the latter struggled to remain conscious. Everyone recovered, but Bari was angry, stating, “I was clearly the victim of this incident...this was no investigation, it was blatant harassment...There's no protection of the law for Earth First!ers in Mendocino County.”¹²³

* * * * *

Meanwhile, back in Fort Bragg, word of the accident reached the demonstrators. In lieu of Judi Bari's keynote speech, Don Lipmanson read the prepared statement that Bari had intended to give. In response to Don Nelson's asinine comments about tree sitters not being “real environmentalists”, she had retorted,

“If Don Nelson were a real labor representative, he'd be up in the trees with the environmentalists because...jobs are falling along with the trees...”¹²⁴

“Workers issues are the same as the environmentalists. We are interested in long-term sustained yield logging. I'm a carpenter and I live in a wood

¹²⁰ Bruce Anderson, March 21, 1990 and Bari, April 1990, op. cit.

¹²¹ “Logging Truck Collides With Earth First!ers”, *Willits News*, August 23, 1989.

¹²² Bruce Anderson, March 21, 1990 and Bari, April 1990, op. cit.

¹²³ Bruce Anderson, March 21, 1990 and Bari, April 1990, op. cit.

¹²⁴ Geniella and McKay, August 20, 1989, op. cit.

house. I would like to continue using wood...I look forward to the day when the loggers and the millworkers will join us on the line.”¹²⁵

Lipmanson concluded that Bari, Cherney, Davis, and the children had been victims of, “too many logging trucks going too fast to get all of the timber they can,” evidently ignorant of Blake’s deliberate actions.¹²⁶ This was not to be the end of the heated tensions, however.

Two weeks after the Redding rally, as two tourists—who had nothing directly to do with any of these incidents or events—were taking a canoe trip along Big River near Whitethorn on the northern Mendocino Coast, they were bullied by gyppo loggers when the former had chanced upon a nasty looking clearcut and had attempted to photographically document the scene.¹²⁷ Glenn Simmons had nothing to say about *that* either, but issued yet another “immature brat” condemnation of Earth First! in response to Mike Roselle criticizing the events in Redding as a “media circus”.¹²⁸ While Earth First!ers were willing to give the workers the benefit of the doubt, the industry by contrast had whipped up many of their supporters into a state of kneejerk hair trigger alert.

* * * * *

Clearly Corporate Timber was dragging the environmental movement through the mud, and enough was enough as far as *Anderson Valley Advertiser* journalist Crawdad Nelson was concerned. He had already vented his spleen in bitterness over the actions of his father and the capitulation by the IWA rank and file to the union officialdom’s collaborationism, and now he was furious.¹²⁹ Rob Anderson, *Anderson Valley Advertiser* editor and publisher Bruce Anderson’s younger brother, was no less bitter.¹³⁰ Both of the writers were ex-millworkers and currently sympathetic to Earth First!, if not full blown advocates of the latter. Both questioned whether workers could *ever* take a stand against corporate logging, and Rob Anderson even questioned whether logging was “a noble profession.” Such pessimism towards the timber workers in general—which at times bordered on condescending and should have more properly been directed at Corporate Timber’s front groups—did not sit well with Mike Koepf, who had resigned from the publication over unrelated personal disputes with editor Bruce Anderson (who did not share Nelson’s or his brother’s pessimism towards timber workers), and

¹²⁵ “Logging Truck Collides With Earth First!ers”, *Willits News*, August 23, 1989.

¹²⁶ Geniella and McKay, August 20, 1989, op. cit.

¹²⁷ “Forest Bullies”, by Rick Hemmings, *Mendocino Beacon*, August 31, 1989 and *Mendocino Country Environmentalist*, September 1, 1989.

¹²⁸ “Over the Edge: Loggers Charged of Media Circus”, by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 31, 1989.

¹²⁹ “Last Legs Lumber Co., A Division of Cutenrun Inc”, by Crawdad Nelson, *Anderson Valley Advertiser*, June 28, 1989.

¹³⁰ “Futile Probe of Outer Space by Backward Species and Working Class Wimps Flex their Muscles”, by Rob Anderson, *Anderson Valley Advertiser*, September 6, 1989.

Judi Bari.¹³¹ The controversy that had raged one year previously within the ranks of the IWW was taking place in northwestern California. A heated debate ensued within the pages of that publication which lasted several weeks.

Crawdad Nelson was especially incensed that the IWA Local #3-469 office sported signs reading “Save a Logger, Eat an Owl”¹³², while Rob Anderson was especially disgusted with Don Nelson’s letter equating tree sitting with tree spiking and calling both “terrorism”. Both proceeded to excoriate the leadership of the IWA and business unions in general for capitulating to the red-baiting and class collaborationism.¹³³ Bari certainly agreed with the criticism of business union leadership, and the pro-capitalist orientation of the AFL-CIO, stating:

“There’s a saying that came out in the 50’s about unions, which says that once unions cut off their left wing, they’ve been flying in circles ever since. These unions have acknowledged management rights which give them no say over the point of production, such as the destruction of the forest, which the workers need for their survival. They have confined themselves to wages and benefits which have made them ineffective.”¹³⁴

Rob Anderson had said, eerily echoing Dave Foreman and Roger Featherstone, “the only real difference we can see between Don Nelson and his workers and Harry Merlo, Charles Hurwitz, and G-P President, T. Marshall Hahn.”¹³⁵ Bari responded by pointing out that Nelson was not representative of his rank & file, and that the difference between Merlo (or Hahn) and the workers was that the latter were not in charge and didn’t yet have the organized economic power to resist. She hinted, however, that as an IWW representative, she had contacts in the industry, but obviously didn’t name them in order to protect their security.¹³⁶

Bari wasn’t bluffing. As early as June 1989, She and Darryl Cherney were in regular contact with former and current Pacific Lumber workers Kelly Bettiga, Pete Kayes, John Maurer, Lester Reynolds, and others. Although the ESOP campaign was unraveling, at least some of the workers were not willing to give in without a fight. Pacific Lumber, like many corporate entities published a company newsletter, in this case called *Timberline*, vetted by Maxxam, of course, which presented a saccharine and sanitized view of current working conditions at Pacific Lumber. For example, the April 1989 issue of *Timberline* announced the promotion of John Campbell to P-L President

¹³¹ “Judi Bari Answer’s Rob Anderson”, by Judi Bari, *Anderson Valley Advertiser*, September 13, 1989.

¹³² Crawdad Nelson, June 28, 1989, op. cit.

¹³³ Robert Anderson, September 6, 1989, op. cit.

¹³⁴ “An Interview With IWW & Earth First! Organizer, Judi Bari”, by Troy L Garner, *Ecology Center Newsletter*, September 1990.

¹³⁵ Robert Anderson, September 6, 1989, op. cit.

¹³⁶ “Judi Bari Answer’s Rob Anderson”, by Judi Bari, *Anderson Valley Advertiser*, September 13, 1989.

and the ironically but coincidentally named Thomas B. Malarkey to the position of Vice Chairman.¹³⁷ Other articles marked the length of some workers' service to the company, discussed various awards, announced retirements, and one photo essay described life in Scotia in 1917. The banner headline was superimposed on a silhouette of a redwood forest; immediately to its left was the word "PALCO" written vertically; a subheading read, "Published by and for the employees of the Pacific Lumber Company." The publication was a complete façade, designed to give the appearance that the company was one big happy family.

Nothing could be further from the truth, of course. Bettiga, Kayes, Maurer, and Reynolds responded by publishing a newsletter of their own, called *Timberlyin'* which featured all of the news not covered in the official company publication, such as the 60-hour workweeks, the rip off of the workers' pension fund, various broken promises made by Maxxam, updates on the ESOP campaign, and ecological issues, because—despite Crawdad Nelson's and Ron Anderson's pessimism, these workers at least, *did* have a vision which extended beyond their bank accounts.¹³⁸ *Timberlyin'* resembled *Timberline* quite closely, except that the word "Palcotraz" (an obvious reference to the old federal prison on Alcatraz Island) took the place of Palco, the banner graphic depicted a clearcut hillside covered with stumps, and the subheading read, "*Really* published by and for the employees of the Pacific Lumber Company."¹³⁹

If the underground publication had a familiar ring to it, it should, because it was essentially the same tactic used by Bari and her coworkers during their struggles in the Washington Bulk Mail facility in the 1970s. In every respect, *Timberlyin'* was exactly like *Postal Strife*. Judi Bari and Darryl Cherney were also contributors to this publication¹⁴⁰; and Kayes and the others distributed it in Scotia, Rio Dell, Carlotta, and Fortuna.¹⁴¹ They published a second issue in October 1989, which featured updates on the ESOP campaign¹⁴², skewered the company's health plan¹⁴³, reported on the monorail incident—which was apparently quite an embarrassing moment for John Campbell and Charles Hurwitz¹⁴⁴, and again took issue with Maxxam's unsustainable logging practices.¹⁴⁵ It's difficult to say for sure who wrote exactly what, though Cherney recalls that each of the workers, plus himself and Bari collaborated more or less equally on the project.¹⁴⁶ Like *Postal Strife*, *Timberlyin'* was irreverent, referring to Hurwitz as "Uncle Charlie" for example, and it generated both positive and negative

¹³⁷ "Executive Promotions Announced", *Timberline*, April 1989.

¹³⁸ Bari, October 1989, op. cit.

¹³⁹ Issue #1, *Timberlyin'*, June / July 1989.

¹⁴⁰ Interview with Darryl Cherney, October 9, 2009.

¹⁴¹ Earth First! – IWW Local #1, inaugural meeting minutes, recorded by Judi Bari, November 19, 1989.

¹⁴² "Tell it Like it Is...", *Timberlyin'* October 1989.

¹⁴³ "Ouch!", *Timberlyin'* October 1989.

¹⁴⁴ "Oops!", *Timberlyin'* October 1989.

¹⁴⁵ "Surprise, Surprise!", *Timberlyin'* October 1989.

¹⁴⁶ Interview with Darryl Cherney, October 9, 2009.

responses among the P-L workers (as was evidenced by short letters to the editor in the second issue).

Kayes, Maurer, and Reynolds also remained active with the Pacific Lumber Rescue Fund which helped a group of P-L workers, retirees, and their spouses file a lawsuit in federal court against Maxxam, Executive Life, the old Pacific Lumber Board of Directors, and others to protect their pensions. The plaintiffs were worried about their pension fund and were deeply concerned about how Maxxam had used it, most certainly illegally to facilitated the takeover of Pacific Lumber in 1986. They were convinced that they had been given an unfair deal because the annuity provided by Executive Life was not guaranteed by any state or federal agency, and it lacked periodic cost of living increases. Because Executive Life was highly invested in high risk junk bonds, this did not inspire confidence in the plaintiffs that their pension had any real security.¹⁴⁷ In light of the previous setbacks experienced by these workers, including the stillborn IWA organizing efforts and the failed ESOP campaign combined with the constant threat of retaliation by Maxxam, that these workers were willing to continue speaking out at all was indicative of much larger possibilities.

Nevertheless, Rob Anderson had argued that workers on a small scale, passing information to Bari on the sly, while a welcome development, was hardly an expression of mass, collective working class power. This is technically true, but, given the relative weakness of the working class in the closing months of the 1980s—especially given world events, including the fall of the Berlin Wall and impending collapse of the Soviet Union, which many accepted as a vindication of capitalism—this was at least something. Many, including Anderson and Nelson, doubted that workers would ever challenge capital on a large scale beyond narrow bread and butter issues. Those doubts were unfounded, however, because clear across the country, it was happening among the miners in Appalachia.

* * * * *

On the opposite coast, in Kentucky, southwest Virginia, and southern West Virginia, beginning on April 5, 1989, 1,500 members of the United Mineworkers of America (UMWA) had been on strike against the Pittston Coal Company. The strike had escalated to the point where rank and file workers as well as local and international union officials were engaged in militant direct action and sabotage exceeding anything yet done by Earth First!.¹⁴⁸ Paul Douglas, the Pittston CEO whose annual salary averaged \$625,000 had made demands of concessions that would have effectively crushed the UMWA. Along with Pittston President, Michael Odom, Douglas was essentially attempting to duplicate the efforts of Harry Merlo and lead a charge to eradicate unions within the coal mining industry. To the miners of Appalachia, the union was more than their livelihoods, it was their whole cultural existence—as sacred as the Baptist

¹⁴⁷ “Testimony of Lester Reynolds before the Labor Subcommittee Hearing on Pension Raiding Risks, U.S. Senate, February 13, 1990”, reprinted in the *Country Activist*, May 1990.

¹⁴⁸ “Workers Take it Over!”, by Darryl Cherney, *Country Activist*, October 1989.

Church. Odom had declared that the workers' unwillingness to slit their own collective throats as being "out of step with reality," presuming that reality meant perpetual austerity and worsening conditions for workers whose job was one of the most dangerous in the world, perhaps even more so than the timber workers.¹⁴⁹

By August, 1989, even before National Tree Sit Week, the battle in Kentucky, Virginia and West Virginia had literally escalated to the point of war. Mass pickets of the mines and mining facilities had been thwarted by injunctions, limiting the number of pickets to six. That the judicial system and the governor of Virginia, Gerald Baliles—who had received \$265,000 in campaign contribution from the coal operators in the state, plus the use of the latter's private luxury planes and helicopters for campaign purposes—were in the company's pocket was of no small consequence. The governor had opposed severance taxes and had provided over 500 state police to the company to help break the strike. A judge also levied almost \$4.5 million in fines against the union for what he described as "acts of terror", including threatening and assaulting scabs in the coalfields.¹⁵⁰ As if this weren't enough, the company had recruited scabs from far and wide, including from the Assets Protection Team, made up of less than savory, heavily armed, extreme right wing mercenaries recruited through *Soldier of Fortune* and other similar publications.¹⁵¹

Desperate to protect their way of life, miners had turned to direct action, including denting and shooting at scab trucks and breaking their windshields, digging trenches to block access roads, using jack rocks (caltrops, sometimes referred to as "mountain spiders"), dropping power lines, and even blowing up buildings and equipment with dynamite in one instance or another. The miners, decked out in camouflage, were doing much of this under the cover of darkness, but they had the near complete solidarity of their families, friends, neighbors, and community, and they were not alone.¹⁵² The strike spread beyond merely the Pittston Coal Company. Pittston subsidiary, Elkay Mining Company had gone as far to bring in a two professional scab operations in succession (the first went bankrupt and was replaced with a second company known as "Conserv, Inc.") after workers there engaged in wildcat strikes in July. When A.T. Massey Coal Company reopened their Rum Creek mine, the strike spread to all of Massey's nonunion operations. By September, with the help of the UMW, union and nonunion workers began engaging in direct action tactics, including building barriers—some of them constructed of old tires, railroad ties, and even a soggy abandoned couch—to keep scabs out of the struck mines¹⁵³

¹⁴⁹ "Revolt in the Coal Fields: Report from the Front", by Gary Cox, *Industrial Worker*, September 1989.

¹⁵⁰ "Coal Strike Turns Into Open Warfare: 10,000 Attend Rally", *AP Wire*, *Ukiah Daily Journal*, September 4, 1989.

¹⁵¹ Cox, September 1989, op. cit.

¹⁵² Cox, September 1989, op. cit.

¹⁵³ "Coal Strike Turns Into Open Warfare: 10,000 Attend Rally", *AP Wire*, *Ukiah Daily Journal*, September 4, 1989.

The strike affected the whole region. Most of the local businesses, much of whom displayed “We support the UMWA” signs in their windows refused to transact business with the scabs.¹⁵⁴ The workers and their families dressed in camouflage, down to their underwear and babies’ diapers as a gesture of unity. They had each others’ backs, especially when faced with police investigations into their use of direct action, including jack rocks. On Sunday, September 17, 1989, 98 miners, supported by thousands of allies, carried out an occupation of the Moss #3 Preparation Plant, and escorted thirteen scabs out of the facility.¹⁵⁵ The miners were sporting yellow ribbons, which so commonly in the timber industry signified solidarity with the employer, but in this case symbolized *working class solidarity and class struggle*. Workers repeatedly talked of “defying the laws”, “filling the jails”, and “general strikes”. They called their camp, Camp Solidarity, both in reference to the principle that binds the working class as well as the Polish Solidarity movement. White miners in southern Virginia, a state once steadfastly loyal to the Confederacy and the Jim Crow era that followed declared, “Blacks work underground with us. They are our brothers.” It was not surprising to discover, then, that the president of this particular UMWA local, who was dressed in camouflage himself, and joining his brothers and sisters in the trenches, was black.¹⁵⁶

Union solidarity poured in from around the world. Gary Cox, an oilfield worker himself, and a handful of other IWW members (including Darryl Cherney), at various times in the late summer joined miners from Virginia, West Virginia, Alabama, Illinois, Indiana, Kentucky, Missouri, and Ohio, as well as groups of auto workers from Chicago and Detroit, groups of steel workers from Pennsylvania and Tennessee, Teamsters from New York City, Communication Workers from all of New York State, and various unions from Boston.¹⁵⁷ In early September, 10,000 strikers and supporters gathered for one of the largest union rallies held in Appalachia ever, which featured Jesse Jackson and UMWA President Richard Trumka. During his speech, Jesse Jackson singled out Republican administrations for creating such an anti-union atmosphere, declaring, “During the past ten years, political leaders such as President George Bush have used the American flag to pull the wool over our eyes.”¹⁵⁸

Miners also looked past the official ideologies of anti-communism. One of them declared, “Nicaragua (referring to the Sandinistas) is just another workers’ struggle. They are fighting for better living conditions, just like us, and just like us, the U.S. government is trying to break their strike.” Even the officials were at least parroting the militant words of the rank and file. Cecil Roberts, the Executive Vice President of the UMWA himself stated, in a speech given at a rally at Camp Solidarity on August 2, 1989, “We are not dealing with a misguided company, we are dealing with

¹⁵⁴ Cox, September 1989, op. cit.

¹⁵⁵ Cherney, October 1989, op. cit.

¹⁵⁶ Cox, September 1989, op. cit.

¹⁵⁷ Cox, September 1989, op. cit.

¹⁵⁸ “Coal Strike Turns Into Open Warfare: 10,000 Attend Rally”, *AP Wire*, *Ukiah Daily Journal*, September 4, 1989.

a rotten system.” He went on to describe the Wagner Act as a cooptation of working class revolt and if the bosses wanted a working class revolt, the miners were more than willing to give them one.¹⁵⁹ Despite crushing legal fees, brutal repression, and company intransigence, the workers’ militancy was having an effect. Production was down anywhere from 50 – 67 percent.¹⁶⁰

It was understandable that many, including Rob Anderson and Crawdad Nelson would not have believed workers revolting on such a mass scale was possible, but there they were. It was as though the miners had taken several pages out of IWW history books, not to mention a handful of paragraphs from Ecodefense, though in truth, typically such tactics develop directly from the workers’ experiences and struggles. Few in America heard about the struggle, except in the pages of the alternate press¹⁶¹, though CBS’ *48 Hours* did film picketers being arrested and hauled to jail in school buses.¹⁶² If the revolt had spread, there’s no telling what would have happened or which industries it might have affected.

Sadly, as it had happened so many other times in so many other struggles, the union bureaucrats eventually capitulated to the bosses, agreeing to concessions, but calling that a “victory” (because the final results were not nearly as bad as the company’s original draconian demands—which was probably by design). No doubt the international leadership of the UMWA feared rank & file militancy and control and moved to crush it lest it spread out of control.¹⁶³ At least the G-P millworkers knew how *that* felt. It would take something other than the AFL-CIO to win such a struggle.

To Judi Bari and her comrades, this seemed all too natural. This was a job for the likes of the IWW, and she decided to take another page from IWW history and called for outside help. First she and a number of other Local 1 members attended the IWW’s annual convention and reported thoroughly on the situation on the North Coast.¹⁶⁴; Then, following that, she wrote an article for the IWW’s official monthly publication, the *Industrial Worker*, which included the following appeal:

“Historically it was the IWW who broke the stranglehold of the timber barons on the loggers and millworkers in the nineteen teens. The ruling class fought back with brutality, and eventually crushed the IWW (Timber Workers Industrial Union), settling instead for the more cooperative Business Unions. Now the companies are back in total control, only this time they’re taking down not only the workers but the earth as well. This, to me, is what the IWW-Earth First! link is all about.

¹⁵⁹ Cox, September 1989, op. cit.

¹⁶⁰ Cherney, October 1989, op. cit.

¹⁶¹ Cherney, October 1989, op. cit.

¹⁶² Cox, September 1989, op. cit.

¹⁶³ “Pittston: The Limits of Business Unionism”, by Jeff Stein, *Libertarian Labor Review*, issue #8, Winter 1989-90, and “Pittston Strike Ends”, *Libertarian Labor Review*, issue #9, Summer 1990.

¹⁶⁴ “Statement by IWW General Secretary-Treasurer Jeff Ditz”, reprinted in the *Industrial Worker*, July 1990.

“If the IWW would like to be more than a historical society, it seems to me that the time is right to organize in timber. This is not to diminish those active locals and organizers who are already involved in workplace struggles elsewhere, but to point out that organizing in basic industry would strengthen us all. We are in the process of starting an IWW branch in northern California, and some of the millworkers are interested in joining already. But the few of us who share these views can’t do it by ourselves, especially since the most prominent of us are known to all timber companies as Earth First!ers and can’t get a job on the inside.

“Back in the glory days, the IWW used to call on ‘all footloose Wobblies’ to go get jobs in places the IWW was trying to organize. I’d like to make the same appeal now, to come to the Pacific Northwest and work in the mills and woods. Anyone wishing to take on this task should contact me. Please take care to avoid using your identity, home address, or exact plans. Your (IWW membership) number will suffice as identification (which can be verified through the General Office). Remember, this is no game.”¹⁶⁵

This development took place not a moment too soon. After Patrick Shannon’s sheer folly of proposing a partnership with Charles Hurwitz, the ESOP campaign declined precipitously. Only a dozen attended the meeting following the fateful event at the Fortuna High School. The meeting after that, only three showed. The campaign’s core organizers clung to a faint hope that the NLRB would rule in favor of the Unfair Labor Practice charge against Pacific Lumber filed by Pete Kayes and Bob Younger with the NLRB.¹⁶⁶ According to campaign coordinator Wendy Dokweiler, seven other employees had been harassed for their involvement in the campaign and awaited the ruling thinking that they, too, might perhaps file ULPs should the initial one be favorable.¹⁶⁷

However, on September 1, 1989, Robert H Miller, director of the San Francisco regional office of the NLRB, ruled that ESOP activity was not protected activity. “The Board has long held that employee concerted activity designated solely to affect changes in the hierarchy of management is not protected.”¹⁶⁸ The campaign’s lawyer, Bruce Shine was stunned, declaring, “I don’t think this makes any sense. What the board is really saying is if you want an ESOP, you’re going to have to have a union to do it, and that goes against what the board has been saying for several years.”¹⁶⁹ He added:

¹⁶⁵ Bari, October 1989, op. cit.; Allan Anger was one IWW member who answered the call and did attempt to get a job in the G-P mill, but he was unsuccessful.

¹⁶⁶ Issue #1, *Timberlyin’*, June / July 1989.

¹⁶⁷ “Maxxam and Junk Bonds; Hurwitz Makes Millions”, *EcoNews*, June 1989.

¹⁶⁸ “Labor Board Says Employees Not Protected in Buyout”, *AP Wire*, *Ukiah Daily Journal*, September 3, 1989.

¹⁶⁹ “Pacific Lumber Wins Labor Ruling; Federal Laws Don’t Protect Workers in Their Buyout Bid, Board Decides”, *Eureka Times-Standard*, September 2, 1989.

“I think working to create an ESOP is an activity which affects your wages, your hours, and your terms and conditions of employment. Workers trying to persuade an employer to accept an ESOP should be protected, just as it is protected activity for them to get together and urge the employer to recognize a union.”¹⁷⁰

Although attorneys for Kayes and Younger prepared to appeal the ruling, it pretty much finished off the ESOP campaign. According to Kayes, following this almost anti-climactic knockout blow, “everyone headed for the hills.”¹⁷¹ The ruling gave P-L legal cover to fire, or at least threaten, known ESOP supporters.¹⁷² The campaign to take back Pacific Lumber had suffered yet another crushing defeat. Pete Kayes, at least, had the good sense to know that his only hope at this point was to join forces with the “fucking, commie hippies.” He would not be alone.¹⁷³

¹⁷⁰ “Labor Board Says Employees Not Protected in Buyout”, *AP Wire*, *Ukiah Daily Journal*, September 3, 1989.

¹⁷¹ “Harris, op. cit., page 268.

¹⁷² “Tell it Like it Is”, anonymous, *Timberlyin’*, October 1989.

¹⁷³ Earth First! – IWW Local #1, inaugural meeting minutes, recorded by Judi Bari, November 19, 1989.

22. I am the Lorax; I speak for the Trees

And then I got mad,
I got terribly mad,
I yelled at the Lorax, "Now listen here, Dad!"
All you do is yap and say, "Bad! Bad! Bad! Bad!"
Well, I have my rights, sir, and I'm telling you,
I intend to go on doing just what I do!"

—by Dr. Seuss, 1971

In an attempt to put a damper on the escalating conflicts over timber on the North Coast, Doug Bosco finally engineered a "compromise" between the timber industry and some environmentalists over the spotted owl. Under the congressman's plan, the set asides for spotted owl pairs would be increased from 1,600 to 2,000 acres. However, to many of the more forward thinking environmentalists, this was inadequate, because studies showed that 2,600 acres was the minimum required size of a viable spotted owl habitat. Patricia Schifferle, director for the California and Nevada region of the Wilderness Society declared, "For now, I don't really see that as a compromise...it's like business as usual." Judi Bari chimed in, "This kind of deal is why Earth First! doesn't make deals...There is no solution there. The only solution would be sustained yield."¹ Indeed, if Bosco had hoped to quell tensions, he failed miserably.

Meanwhile, back in Laytonville, Bill Bailey found a way to solve his problem, or at least he thought so. Convinced that the Laytonville school teachers were under the influence of "unwashed-out-of-town-jobless-hippies-on-drugs", and needed stronger guidance from superintendant Brian Buckley, and convinced that Buckley needed tighter control from the Laytonville School Board, Bailey poured his financial resources into securing a majority of seats on that governing body. He started by getting himself elected, running ostensibly to oppose a development of a new high school on a questionable piece of land owned by real estate speculators, a project that was favored by the incumbent board members, but was unpopular among most of the community, including most progressives. He then managed to get his hired yes man, Mike Wilwand, as well as Art Harwood elected as well. Since Laytonville (the town) was

¹ "Bosco Claims Victory in Spotted Owl Compromise: Not All Environmentalists Satisfied", by Keith Michaud, September 13, 1989.

unincorporated, but Laytonville Unified (the school district) was not, this was as close to a governing power that the community actually had. Bailey had his majority.²

Then, in mid September, Bill Bailey's wife, Judith Bailey filed an official Request for Reconsideration of Materials form with the Laytonville School District requesting that *The Lorax*, which had been written eighteen years previously and had been on the required reading list for second graders for two years without comment, be removed. Mrs. Bailey cited California Education Code 60040 which prohibits references that "tend to demean, stereotype or be patronizing toward an occupation, vocation, or livelihood," as grounds for removal, stating, "I feel when a second grader reads a line that says, 'Grow a forest. Protect it from axes that hack,' as a moral of the story, then he or she will feel that anyone who cuts down trees is bad." Superintendent Buckley was duty bound to strike a special review committee, which was done composed of seven individuals including himself, two teachers, one librarian, the school library technician, and two district residents. One these two residents turned out to be Becky Harwood, Judith Bailey's sister, Art Harwood's wife.³

On Wednesday, September 13, 1989, a crowd filled the Laytonville Elementary School library to watch the review committee deliberate the issue. Naturally, Mrs. Harwood argued for the book's removal, arguing that since it was written before the passage of current forestry legislation, it presented a misleading view of logging and that "Kids don't have to feel bad about what their parents do." Willits High School Librarian, Sue Jones, countered by saying, "You could use this book as a place of departure and talk about what you can do right in the forest. Someone from the lumber industry could come in and say how we used to do this, but we don't do that anymore, and this is what we do now," but this didn't satisfy Bailey's representative on the committee, insisting that people perceived the book as demeaning to the timber industry.⁴

The committee took a vote and decided six-to-one to retain *The Lorax* on the required reading list for second graders. Becky Harwood cast the lone dissenting vote. Buckley announced that the review committee's vote would be forwarded to the Laytonville School Board, which was scheduled to meet on October 5, 1989 and would cast the final vote.⁵ Considering that Bailey had seized a majority on the school board, the prospects for keeping the book on the required reading list looked dim. To be certain, Bailey's associates and allies made sure that as many people as they could muster joined in the mob of Corporate Timber apologists sporting yellow ribbons.

Due to the book's eerily prescient similarities to the real life enormous controversy surrounding the spotted owl, however, what might have seemed like an isolated, small town squabble became national news, and Laytonville became a symbol for the grow-

² "Under the Barnum and (Bill) Bailey Big Top: The Mayor of Laytonville", by Lawrence Livermore, *Anderson Valley Advertiser*, August 23, 1989.

³ "Laytonville Supports Dr Seuss Book", staff report, *Willits News*, September 15, 1989.

⁴ "Laytonville Supports Dr Seuss Book", staff report, *Willits News*, September 15, 1989.

⁵ "Laytonville Supports Dr Seuss Book", staff report, *Willits News*, September 15, 1989.

ing timber wars. The corporate press was always eager to exaggerate the differences between “yellows” and “greens”, never once suggesting that the actual source of the problem might be capitalism itself. They seemed most uninterested in the possibility that the *real* puppet master was neither a chainsaw salesman from Laytonville nor a children’s author somehow under the influence of a band of “unwashed-out-of-town-jobless-hippies-on-drugs” that didn’t even exist until a decade after his most controversial book was published. Corporate Timber, of course caught wind of the story and milked it for all it was worth, through the auspices of WECARE and their ilk.⁶ Within less than a week, Laytonville, California, a small hamlet of just ten shy of a thousand at a bend in the road on Highway 101 in northern Mendocino County, which until then was little more than an afterthought except to those living there, became known nationally—and not without justification—as the town that tried to ban *The Lorax* and censor Dr. Seuss.⁷

Even Theodore Geisel, Dr Seuss *himself*, weighed in, declaring that the grownups embroiled in the battle were missing the point, further elaborating:

“Trees are used in this book as a symbol—the lousing up of nature. It’s about turning natural resources into crud. The leaves of the trees are used for making some silly commercial articles and the trees are thrown away. It’s purely (symbolic). I certainly am not against harvesting trees. I live in a wooden house and I’m sitting in a wooden chair. (My book is something) the rangers in Yosemite read to people around a campfire. It’s a general commentary about going easy on what we’ve got.”⁸

This prompted a response from Harwood Products owner and family patriarch Arthur “Bud” Harwood, who wrote an open letter to Dr. Seuss that was conciliatory, praising the author “for his wonderful children’s books”, but still lamented the division *The Lorax* had created within the community (never once accepting that perhaps it was Bill Bailey’s inability to overcome his heavily bruised ego and pride, and Corporate Timber’s exploitation of the outrage it caused, that had done that).⁹

Environmentalists weighed in on the controversy as well. North Coast Earth First!ers understandably saw the controversy as a referendum on them for many

⁶ “The Lorax: Seuss Tale of Greed, Logging Spared the Axe”, by Mike Geniella, *Santa Rosa Press Democrat*, September 14, 1989; “School Board Keeps Logger Story on the Second-Grade Reading List”, *AP Wire*, *Ukiah Daily Journal*, September 14, 1989; “Ax the Lorax: That’s What a Logging Clan Wants to Do to Seuss’ Book”, UPI, *Eureka Times-Standard*, September 15, 1989; and “Lumber Mill Owner Writes to Dr Seuss”, by Lois O’Rourke, *Ukiah Daily Journal*, September 19, 1989.

⁷ “Holding Back the Forces of Darkness: The Laytonville Lorax Wars”, by Lawrence Livermore, *Anderson Valley Advertiser*, October 11, 1989.

⁸ “School Board Keeps Logger Story on the Second-Grade Reading List”, *AP Wire*, *Ukiah Daily Journal*, September 14, 1989.

⁹ “Take ‘Lorax’ Off required List, letter to the editor by Bud Harwood, *Ukiah Daily Journal*, September 20, 1989 and *Willits News*, October 11, 1989.

reasons, not the least of which included having been labeled “terrorists” by Bill Bailey in more than one of his paid advertisements. Laytonville Earth First!er Kathi Cloninger declared, “(The idea of removing the book from the required reading list), really upsets me...The Lorax is a huge controversy in Laytonville. Every time I go to town I see 10 to 15 yellow ribbons.” Judi Bari likewise stated, “The reason they are so afraid of this book is (because) it shows exactly what they are doing. They are taking the last of the redwood forest, just like the Trufula trees in The Lorax. I could show (the media) clear-cuts that look *exactly* like the pictures in the book.”¹⁰

Not all Laytonville wood products industry businessmen were as reactionary as Bailey, however. Bob Burgess, a furniture maker also based in the town, argued against banning the book, expressed appreciation for environmentalism, and pledged to only use wood from sustainable logging sources from that point on.¹¹

Longtime resident Meredith A. Bliss wondered how her sleepy little village could have “generated more hullabaloo than cats in mating season” and wondered, “Whatever happened to good old common sense (and) our sense of humor?”¹²

* * * * *

To be fair, Laytonville was hardly an isolated example of rural timber dependent communities on the North Coast under pressure from Corporate Timber. While Laytonville was up in arms about Baily’s anti-Lorax crusade, the Redwood Empire Division of the League of California Cities (LOCC), whose territory covered much of northwestern California, including Humboldt and Mendocino Counties was passing a resolution affirming the “importance” of the timber industry to the region as well as the entire state of California and declaring that “preservation groups have used the court system to slow, and in some cases, halt timber harvesting creating an employment crisis in Northern California, potentially as severe as in the states of Oregon and Washington.” The resolution was introduced by Fortuna City Manager and Clerk Robert Brown, a supporter of TEAM and WECARE, and passed by six cities in favor (including Clearlake, Cloverdale, Eureka, Fortuna, Healdsburg, and Rohnert Park). Of the remainder present, only Arcata and Trinidad opposed the measure, while Willits abstained.¹³

The representatives of the cities that declined to support the measure did so openly chastising what they considered to be an obvious attempt by Corporate Timber to engage in a political witch hunt. Speaking for Trinidad, Bryce Kenny declared:

“I proposed a new ‘whereas clause’ but there was already a motion to consider the resolution on the floor. I wanted the clause to state that automation at the mills and export of raw logs also have an effect on the decline of the timber industry and the loss of jobs. Those are big factors.

¹⁰ “Laytonville’s Lorax Decision Set Thursday”, by Lois O’Rourke, *Ukiah Daily Journal*, October 4, 1989.

¹¹ “Supply and Demand”, by Bob Burgess, *Willits News*, October 11, 1989.

¹² “Our Town”, by Meredith A. Bliss, *Willits News*, October 11, 1990.

¹³ “Two North Coast Cities Oppose Resolution; Fortuna Favors”, by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 31, 1989.

All the blame should not be placed on the conservationists, environmentalists, and preservationists—whatever you want to call them. No one can deny the importance of the timber industry in the Northwest. Conservationists are a big factor, but I felt that if we were going to pass a resolution based on fact, then we should recognize all of the factors.”¹⁴

Speaking for Arcata, City Council member and LOCC representative Thea Gatt expressed similar reservations about the resolution, stating, “We felt we needed to support a balance between environmental and timber concerns.” While these were mildly courageous stands, even within their respective city governments, the representatives didn’t necessarily enjoy universal support. When questioned, Trinidad assistant City Clerk Yvonne Lewis indicated that the city council had not actually voted on the proposal, because it had not been brought before the body, and further suggested that Kenny was acting unilaterally. On the other hand, Willits City Manager Bill Van Orden voted to abstain, declaring that Willits took no position in the resolution, and added, “We felt the resolution as proposed didn’t deal directly with Mendocino County.”¹⁵

Mendocino County itself also had voted not to take a stand on the issue, in spite of heavy pressure. In this case, the push to pass a resolution against listing the owl as threatened came directly from L-P. Company forester Chris Rowney had appeared before the supervisors at their September 12 meeting and repeated the familiar Corporate Timber talking points that argued that owls had been “detected” in second growth timber stands. He was opposed by several environmentalists, including Betty Ball—who declared that spotted owls and old growth forests were biological issues, not political ones—and Meca Wawona who said that the resolution essentially would require the county to “pledge allegiance to the timber industry,” and industry that was “overeating” the forests. Surprisingly, the supervisors voted four-to-one, with only Marilyn Butcher dissenting against L-P. Nelson Redding’s voting with the majority was somewhat surprising, but not especially earth shattering, since the supervisors were essentially deciding not to make a decision. Evidently even those who found the courage to say “no” to Corporate Timber were compelled to walk on eggshells in doing so.¹⁶

They had ample reason to fear. If cities, counties, businesses, and publications didn’t go along with the program and toe the industry line, they were prone to being subjected to blacklists. For example, businesses that advertised in *EcoNews* had found themselves the target of a boycott ostensibly organized by Corporate Timber true believer, Diana Mendes the previous December. Mendes, a member of WECARE, had produced a letter warning local businesses of dire economic consequences should they continue to enable and support the environmentalists by advertising in the offending publication.

¹⁴ Simmons, August 31, 1989, op. cit.

¹⁵ Simmons, August 31, 1989, op. cit.

¹⁶ “Supervisors Refuse to Take a Stand on Spotted Owl”, by Keith Michaud, *Ukiah Daily Journal*, September 12, 1989.

This was presented as admonishment, but was really akin to a veiled threat. Though there was no hard evidence that she had coconspirators, it was unlikely that Mendes had acted alone. Those that wrote back to respond (angrily or otherwise) found that the post office box listed on the letters was fake.¹⁷

Although they claimed to have no knowledge of the effort, the boycott letters were widely circulated among numerous timber companies, trucking firms, and allied support businesses, and one company attached copies of the letter to the bonus checks mailed to its employees. WECARE denied connection to the effort, but its September newsletter included a list of the 47 businesses targeted by the effort, all of which were on the boycott list of the Western Wood Products Association.¹⁸ Most businesses were angered by the blacklist, but at least one, the Arcata Co-op, temporarily buckled under to the pressure.¹⁹ A few businesses, on the other hand, increased their contributions to *EcoNews*.²⁰

Indeed, there was no shortage of dirty tricks directed at the NEC by Mendes and her ilk. In July, a bogus form letter, published on what appeared to be Northcoast Environmental Center stationary, apparently signed by director Tim McKay was circulated widely throughout the timber industry all over the North Coast. Although the letter was clearly a forgery, it wasn't identified as such until November by the *real* McKay, well after the damage had been done. It was addressed to the "Friends of the Timber Industry," and repeated all of and relished in the familiar Corporate Timber talking points that blamed the loss of timber jobs on unwashed-out-of-town-jobless-hippies-on-drugs concluding with a final paragraph which read:

"We hope that you are able to help us in our effort to stop logging, ranching, and fishing. PLEASE send a tax deductible donation to the CENTER as soon as possible, as I really need a raise. I look forward to working with you as soon as you are out of a job. Thank you for your ongoing support."²¹

In all likelihood, this effort was also organized by WECARE, since it was sent to a good many of the members on their membership list, and, the dirty tricks didn't stop at just threatening letters. Several NEC staffers received abusive and intimidating phone calls, including one whose family members were informed by an anonymous individual that they might want to consider increasing their life insurance premiums. This was not necessarily just an idle threat either, because another staffer's car had its lug nuts loosened by an unknown perpetrator.²²

The intimidation extended far beyond Laytonville or Arcata, though. Contributors to a recent fundraising effort by the ONRC received harassing letters saying that the

¹⁷ "Plotters Threaten NEC Supporters", *EcoNews*, March 1989.

¹⁸ "Dirty Tricks Blemish Spotted Owl Struggle", by Tim McKay, *EcoNews*, October 1989.

¹⁹ "Co-op Succumbs", letter to the editor by Felicia Oldfather, *EcoNews*, October 1989.

²⁰ "Plotters Threaten NEC Supporters", *EcoNews*, March 1989.

²¹ "Dear Friends of the Timber Industry", by "Tim McKay", *EcoNews*, November 1989.

²² McKay, October 1989, op. cit.

organization was out to destroy that state's economy by stopping all logging (something the ONRC had no intention of doing). Atlanta's Turner Network Television (TNT) even felt the heat, because they cancelled the broadcast of a TV special produced by the Audubon Society called "Rage Over Trees," after all eight of its sponsors, Citicorp, Exxon, Ford, New York Life insurance, *Omni*, Sears Roebuck, Stroh Brewery, and *Time* all pulled out after pressure from Corporate Timber, represented by its front group, the Western States Public Lands Coalition.²³ Given these currents, many believed that Laytonville would indeed vote to ban *The Lorax*. There was little doubt that the controversy over the spotted owl was at least partially related.²⁴

* * * * *

The date of the school board meeting, where the decision would be made drew near. National media, including *People Magazine* and the *Philadelphia Inquirer* joined local press, television news, and radio broadcasters who gathered to cover the story²⁵, expecting to find the small rural community full of demagogues like Bill Bailey (or perhaps their caricature of Bill Bailey) or card carrying members of TEAM and WE-CARE. As it turned out however, the meeting, while interesting and full of fireworks, ultimately turned out to be anticlimactic.²⁶ Instead of an angry, reactionary mob, the 300 or so residents of Laytonville that showed up were committed to free speech, free expression, and democracy.²⁷

For the first hour, speaker after speaker spoke their minds, and almost without exception they spoke *against* banning *The Lorax*. Marianne Loeser, president of the Long Valley Teachers's Association, the union which represented the teachers in the district, read a statement to the board declaring, "Schools should not become a battleground for resolving complex problems that the schools did not create and that the (timber) industry cannot conceivably solve." She indicated that the statement had been approved unanimously at a recent union meeting, held September 27, which had been attended by more than 82 percent of the entire membership.²⁸

The aptly named Bill Haywood, who represented the California Teachers' Association, the statewide union under which the LVTA participated, argued that the removal of the book would infringe upon the academic freedom of the district's teachers and such action could not be allowed anywhere in the state of California.²⁹ He further questioned giving in to the demagoguery of a few wealthy businessmen.³⁰

²³ McKay, October 1989, op. cit.

²⁴ "Recent Surveys Express Need for More Spotted Owl Comment", guest editorial by Frank Sander-son, *Humboldt Beacon and Fortuna Advance*, September 12, 1989.

²⁵ "Lorax Alive in Laytonville", by Les Nuckolls, *Willits News*, October 11, 1989.

²⁶ Livermore, October 11, 1989, op. cit.

²⁷ Nuckolls, October 11, 1989, op. cit.

²⁸ "Controversial Book to Stay on Reading List", by Lois O'Rourke, *Ukiah Daily Journal*, October 6, 1989.

²⁹ Nuckolls, October 11, 1989, op. cit.

³⁰ Livermore, October 11, 1989, op. cit.

Kathi Cloninger admonished the board to listen to the teachers, saying, “I do not feel that one person (Bailey) has the right to censor what all the children learn. I feel the book is a useful tool to teach the value of conservation.”³¹

A logger pointed to his four children, noting that they “eat and sleep in a house paid for with timber dollars”, but who was nonetheless opposed to Bailey’s and Harwood’s attempts at censorship.³²

At least one parent, Stu Greenberg, threatened to take his children out of the school if the board voted to ban *The Lorax*, cautioning the board, “not to be afraid of ideas, but instead to be afraid of taking away the freedom to discuss ideas.”³³

It wasn’t until after the tenth person had spoken that an audience member spoke in favor of banning the book, claiming that “very many” in Laytonville found *The Lorax* offensive, though apparently not offensive enough to make their presence felt.³⁴ Another person in favor of removing the book from the list, high school student Tara Fristo, explained that she didn’t understand why the idea was controversial or the need for national media.³⁵

In fact, Bill Bailey *himself* had not bothered to show, which was a wise decision, because his plan was about to fail miserably. Board President Bill Webster was opposed to removing the book from the required list, arguing that *The Lorax* expressed “a valid point of view.”³⁶ He added, “We are manipulating our children if we manipulate books. We are telling our children we don’t trust (them) to make their own decisions.”³⁷ He further went on to state, “I think the larger issue is who is teaching these kids, the Board or the teachers. *The Lorax* has been taught here for years without any damage. To tell teachers they can teach this book, but not that one, is like telling teachers to come into the forests and tell timber people they can cut this tree, but not that one.”³⁸ This statement drew a standing ovation from the crowd.³⁹

Although Bailey had a majority on the board, it would fail him. Art Harwood was unfazed by the mostly pro *Lorax* testimony, at one point arguing that the book might be more appropriate for the Seventh Grade reading level, a suggestion that strained credibility and elicited at least one wag in the audience to sarcastically ponder the notion that Laytonville students were too dumb to read at the second grade level until the seventh—something that no doubt would have brought even more media scrutiny.⁴⁰ Harwood attempted to defend his ridiculous notion by arguing that Forestry students

³¹ O’Rourke, October 6, 1989, op. cit.

³² Livermore, October 11, 1989, op. cit.

³³ O’Rourke, October 6, 1989, op. cit.

³⁴ Livermore, October 11, 1989, op. cit.

³⁵ O’Rourke, October 6, 1989, op. cit.

³⁶ Livermore, October 11, 1989, op. cit.

³⁷ O’Rourke, October 6, 1989, op. cit.

³⁸ Nuckolls, October 11, 1989, op. cit.

³⁹ O’Rourke, October 6, 1989, op. cit.

⁴⁰ Livermore, October 11, 1989, op. cit.

at the University of California were required to read *The Lorax*, as if that had any bearing on the matter at hand.⁴¹

The other board members were not as confident. Wilwand, conscious of and uncomfortable with the obvious perception that he was “a Bailey toady”, made the unbelievable and halfhearted argument that he was going to vote to ban the book “to support academic freedom rather than oppose it.” Judy Geiger, something of a moderate on most issues, except those dealing with the timber industry, argued that the mandated list should be obliterated altogether—which would have made things worse because, as one teacher later explained, “if we didn’t have a list, every time I assigned a book like *The Lorax*, I’d have parents (asking), ‘Why *that* book? Why couldn’t you have picked one of *these* less controversial books?’”⁴²

At this point, Dan K’vaka, who had already spoken in favor of retaining the book suggested tabling the decision while Superintendent Buckley prepared a recommendation on whether or not to abolish the required list and replace it with a “suggested” reading list.⁴³ Apparently Bailey’s allies on the board didn’t want to be boxed into a corner and forced to admit that the issue was *The Lorax* itself and not the required list, because within seconds the board took a vote and unanimously agreed to K’vaka’s proposal (with the absent Bailey abstaining by default).⁴⁴

Virtually everyone agreed that the board had made the correct decision. Even the normally conservative, pro-Corporate Timber *Ukiah Daily Journal* opined favorably, stating:

“The most important point of this entire issue is one which deals with our Constitutional rights and the First Amendment. Every time we hear of another book being attacked by a certain group for whatever reason—religious, moral, or any other—we cringe. Book banning (or burning in some extreme cases) has no place in a democracy. It has no place anywhere...

“We applaud the Laytonville school board and those who spoke at its meeting in support of free speech.”⁴⁵

Bailey had lost, at least for the time being, but the issue just would not go away. Laytonville was irreversibly stuck with the reputation for being an intolerant town that tried to ban a children’s book, and no matter how much the Baileys tried to deny

⁴¹ O’Rourke, October 6, 1989, op. cit.

⁴² Livermore, October 11, 1989, op. cit.

⁴³ Nuckolls, October 11, 1989, op. cit.

⁴⁴ “‘Lorax’ Foes Win Temporary Victory: Laytonville Parents Target Dr. Seuss”, *Santa Rosa Press Democrat*, October 6, 1989; “Controversial Book to Stay on Reading List”, by Lois O’Rourke, *Ukiah Daily Journal*, October 6, 1989; and “‘The Lorax’ Cuts Against the Bailey Family Grain”, by Mike Geniella, *Santa Rosa Press Democrat*, October 8, 1989.

⁴⁵ O’Rourke, October 6, 1989, op. cit.

their campaign was about censorship, they had lost their credibility and had caused more damage to the timber industry (even the positive aspects of it).⁴⁶

The champions of free thought and free speech had won, but more importantly, Corporate Timber, which had hoped to take advantage of the Corporate Media's inaccurate portrayal of the situation as one of divisiveness between idealistic environmentalists and angry timber workers had been dealt a setback. Instead of a town angry at teachers and a principal brainwashed by "unwashed-out-of-town-jobless-hippies-on-drugs", the public was *instead* presented with vocal and informed citizenry angry at the overbearing megalomaniacal delusions of a businessman and his attempts to buy control of the government. It was also evident that the Corporate Timber puppet masters were more than willing to exploit Bill Bailey and other Laytonvillians for their own ends, but they had greatly underestimated and miscalculated the rank and file citizenry's ability to actually pay attention to the men behind the Redwood Curtain.

Still, there were always one or two who could be counted upon to howl about "politically correct fascism", apparently blind to the fact that such a term most appropriately applied to Bill Bailey rather than those who questioned the hegemony of Eurocentric, laissez faire capitalism.⁴⁷ In December, Georgia Pacific spokesman Don Perry complained to the Mendocino County Board of Supervisors that the film *On the Edge: Salmon and Steelhead* contained "inaccuracies and didn't represent a balanced view of timber harvest practices" and tried to have the board demand that the schools show a films presenting the local timber industry in a better light; the Supervisors voted against the proposal.⁴⁸ That same month, Bailey and Harwood were at it again, raising hell because a teacher actually allowed Darryl Cherney to perform live during one class; one wondered how they would have reacted had Earth First! protested an appearance in the same class by Bailey or Harwood.⁴⁹

mso-fareast-font-family: Calibri;mso-fareast-theme-font:minor-latin;mso-ansi-language:EN-US;mso-fareast-language: EN-US;mso-bidi-language:AR-SA">Ultimately some good came of all of the controversy. Judi Bari had attended the meeting in Laytonville and knew full well that perhaps Bill Bailey, and certainly Art Harwood, were not any more unapproachable than the Eel River Sawmill representatives with whom she and other Earth First! – IWW members had met earlier that year. Harwood

⁴⁶ "Bill Bailey vs. The Lorax: The Once-ler of Laytonville", by Lawrence Livermore, *Laytonville Lookout*, #34, Winter 1990.

⁴⁷ "There is a Better Way—find it: Thought Control and Censorship", by Ed Burton, *Willits News*, March 9, 1990; Burton actually argues that keeping the book on the list is "thought control" and that denouncing Bailey's and Harwood's actions as censorship is "fascistic", essentially arguing that black is white.

⁴⁸ "Supes Rebuff Timber Industry", by Rob Anderson, *Anderson Valley Advertiser*, December 6, 1989.

⁴⁹ "Defining the True Manipulators", a letter to the *Anderson Valley Advertiser*, from Judi Bari, December 12, 1989.

was receptive and agreed to open up a line of dialog with Bari which would yield even bigger results in the upcoming months.⁵⁰

⁵⁰ “Judi Bari Responds”, interview by Lynne Dahl, *Anderson valley Advertiser*, May 16, 1990.

23. Forests Forever

“We have to act now...Less than five percent of the original old growth forest remains, and a lot of wildlife and plant species are going to extinction in the next five years if they don’t get this protection. We can’t wait. The forest destruction here is just as bad as in the Amazon rain forest. But we don’t have as much forest left as they do. This is our last chance to save what’s left.”¹

— The Man Who Walks in the Woods.

“While current law calls for protection of the environment and the sustained yield of high quality timber products, it frustrates any attempt to actually achieve these goals.

Under current law, actual forest practice rules are written by a state board of forestry completely dominated by timber industry representatives. And administration of the law is left exclusively to the California Department of Forestry, an agency that one local judge has called a ‘rubber stamp’ for logging companies. The current rules that regulate logging practices would not protect the resource even if they were enforced. And they are not being enforced. CDF has systematically prevented other state agencies from playing a role in reviewing timber harvest plans submitted under the act.”²

—Richard Johnson, *Mendocino Country Environmentalist*.

At the same time the “Laytonville Lorax War” was taking place, the continuing legal battles against Maxxam raged on. Woody and Warren Murphy as well as Suzanne Murphy-Civian, represented by their friend Bill Bertain, sued Maxxam and Charles Hurwitz yet again, this time alleging that Drexel Burnham Lambert (DBL) working through Ivan Boesky had engaged in illegal stock parking. According to the suit, prior to Hurwitz’s tender offer to the P-L board of directors in October 1985, Boesky effectively owned as much as 10 percent of the company’s stock, thus violating the Hart-Scott-Rodino act of 1984. This information had not been revealed until findings by the SEC were made public in 1988. Had the shareholders known about this, they

¹ “Forest Protectors Take the Initiative”, by Richard Johnson, *Mendocino Country Environmentalists*, November 1, 1989.

² Johnson, November 1, 1989, op. cit.

would have had a stronger case against the merger originally. The Murphys' suit demanded \$18 million in damages to all of the shareholders who owned stock prior to the sale, charging that had the directors known of Boesky's and DBL's activity, they would have valued the company's stock at roughly \$70 per share instead of the \$40 finally offered by Hurwitz.³

Meanwhile, having been rebuffed by the NLRB, and having lost the support of a great many formerly enthusiastic employees, Patrick Shannon chose to take a different route to try and realize what many had concluded was a pipedream. The ESOP organizer now proposed that a initiative be placed on ballot for November 1990 that would seize ownership of Pacific Lumber from Maxxam and place it in the hands of the company's workers. The measure, tentatively called the *Timber Bond Act*, would raise \$940 in bonds and pay Maxxam for the purchase of the firm. It also called for the setting aside of 3,700 acres of old growth redwoods including Headwaters Forest. Under the plan, the employees would recompense the taxpayers of California by repaying the bonds at 9 percent interest. The measure allowed 40 years to complete that process, but Shannon estimated that this would require a total of 15 years at most. After that, should the purchase be paid in full, additional moneys raised would be deposited into a revolving account from which other potential ESOP campaigns could seek loans.⁴

As was expected, Corporate Timber did not respond favorably to Patrick Shannon's effort. Pacific Lumber spokespeople framed the initiative as a backdoor attempt at "Communism", knowing full well that such efforts would have little support in the dying days of the Soviet Union and the latter's waning political influence over Eastern Europe.

David Galitz said bluntly, "It's totally inappropriate in any democratic society to ask the government to force somebody out of business. We've done nothing unlawful," which of course, was purely a matter of opinion.⁵ Nobody was proposing that either Pacific Lumber or Maxxam be "forced out of business."

The local Corporate Press was equally derogatory in its denunciation. The *Eureka Times-Standard* called it "pure fantasy" and further opined,

"Such a plan might make a lot of sense if P-L really were about to cut the last old growth redwood tree in the world, but that is not the case...The state has no business using its legal authority to intrude in the affairs of a private firm legally engaged in its operations. If Shannon gets away with his plan for a takeover of P-L with the state as the middle man, than any company becomes fair game—and the state's taxpayers will be in deep trouble."⁶

³ "Ex-Owners Sue Over P-L Sale", *Eureka Times-Standard*, September 7, 1989.

⁴ "Shannon Wants Initiative to Seize P-L from Maxxam", by Mark Rathjen, *Eureka Times-Standard*, September 6, 1989.

⁵ Rathjen, September 6, 1989, op. cit.

⁶ "PL Takeover Plan No Statewide Issue", *Eureka Times-Standard*, September 12, 1989.

The *Humboldt Beacon and Fortuna Advance* was even more blatant, resorting to old fashioned red baiting to denounce the measure, declaring:

“The proposal certainly is not a solution because there isn’t a problem, except for the disgruntled ESOP few who failed in their vain attempt to gather support for a worker buy out (sic) of PALCO...

“The idiotic initiative proposal is the one the old guard in Moscow may be able to relate to, but not Americans who pride themselves on individual initiative and free enterprise. In a democratic society, one that is exporting its democratic ideals to socialist countries mired in the shallowness of socialism, it is outlandish to consider having the government purchase a private business...

“Look again. Look at Poland, East Germany—where thousands have fled from in recent weeks, the Slavic states, etc., etc., etc.

“The true Goliath is government power used in an unjust manner; a manner that stifles the individual, where private initiative is not rewarded but penalized.”⁷

This was, of course, a complete mischaracterization of the proposal—and it was once again a verbatim regurgitation of P-L management’s spin on the most recent attempt at populist reform. For instance, John Campbell declared:

“If you look at current events and history, I think Mr. Shannon is from the wrong era. If you take a good look at what is happening in Eastern Europe today, you can see people don’t want an enormous government. They want freedom—freedom to travel, freedom to move about freely. To have the government come in and take over private property is at least 40 years out of step.”⁸

Nowhere had Shannon, an avid capitalist himself, proposed anything remotely resembling *actual* socialism, let alone the discredited political dead end of Stalinism. Naturally, both Campbell and Simmons omitted the past precedent of the Tennessee Valley Authority and other specifically *American* intervention by the state on behalf of the public or a small group of them under the concept of Eminent Domain. Shannon countered:

“The right of eminent domain is the right of the people, outlined in the Constitution, to assert dominion over any land or property on account of

⁷ “Over the Edge: Initiative Proposal is No Solution”, editorial by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, September 14, 1989.

⁸ “PALCO President Attacks Initiatives”, by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, December 7, 1989.

emergency and for the public good. The people have the sovereign right to exercise eminent domain when there is a need to correct an injustice or an abuse.”⁹

Such abuses included the countless examples of deals between the USFS and Corporate Timber for THPs on public lands, a form of *state intervention* of the highest degree. Apparently it was only “socialism” if it didn’t benefit the bottom line of the employing class.

However, Campbell and his ministers of propaganda had gambled correctly that both Shannon’s unpopularity and the emerging consensus declaring the “decline” of “communism” and the “end of history” would be effective. Shannon’s proposal had little support among the P-L workers, including many of the one-time ESOP supporters, who had lost faith in Shannon since he had proposed a “partnership” with Maxxam and Hurwitz in April. His sudden second apparent reversal could only served to reinforce the notion that Shannon was an opportunistic snake oil salesman who could not be trusted with their futures. Furthermore Shannon’s disdain for unions translated into a lack of experience in communicating with the workers, even those likely to be sympathetic to such a measure. As a result, he had no support for the ballot initiative among the P-L employees and Maxxam used that to their advantage.¹⁰

Indeed, Shannon’s poorly organized and quite desperate “Hail Mary” pass opened up the door for TEAM, who had been losing support since the ESOP campaign, to regain prominence among the P-L workers. TEAM supporter Michael J Eglin opportunistically manipulated the bitterness over Shannon’s ESOP failure into opposition to the *Timber Bond Act*, which culminated in a full page advertisement in the Eureka Times Standard, signed by 900 P-L employees (which was a far greater number than the 350 that had signed the November 17, 1985 ad opposing Hurwitz, and included several dozen of the signers of the original ad).¹¹ Supporters of Eglin’s effort initiated a barrage of letters to the editor repeating the standard Corporate Timber talking points, including the hackneyed shifting of the blame to “unwashed-out-of-town-jobless-hippies-on-drugs.”¹² This was to be expected, of course, but it actually greatly reduced the potential for other efforts, such as an IWW organizing drive, to take root among the P-L workers. Furthermore, it allowed Campbell—using TEAM as a front group—to conflate Shannon’s well intentioned, but poorly planned measure with other, better conceived efforts.

⁹ “Expropriate Pacific Lumber”, letter to the editor by Patrick Shannon, *EcoNews*, November 1989.

¹⁰ “Timber Wars: Footloose Wobs Urgently Needed”, by Judi Bari, *Industrial Worker*, October 1989 and “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

¹¹ “P-L Employees Get no Response”, letter to the editor by Michael J. Eglin, *Eureka Times-Standard*, February 25, 1990.

¹² “Shannon Must Look Elsewhere”, letter to the editor by Dave Shamblin, *Eureka Times-Standard*, February 25, 1990.

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One such effort was the Forest and Wildlife Protection and Bond Act of 1990, which would soon become to be widely known as *Forests Forever*. That effort had resulted directly from what environmentalists perceived to be L-P's and G-P's abusive treatment of Mendocino County and Maxxam's treatment of Humboldt County. In September 1989, a coalition of local activists from Mendocino and Humboldt Counties, including EPIC, the Save the Redwoods League, the Sierra Club, and others drafted the initiative and submitted it to the office of the California State Attorney General in mid October. If passed by the voters, the initiative would reform state forestry law for the first time since the Z'Berg Nejedly Forest Practice Act was enacted in 1973.

The original Forest Practices Act had once been considered the strongest piece of forestry legislation in existence, but now, according to one *Forests Forever's* principle authors, The Man That Walks In The Woods, it was little more than a paper tiger. It was readily apparent that Z'Berg Nejedly was inadequate. According to Gail Lucas of the California Sierra Club's State Forestry Practices Commission, the measure was conceived, because no matter what the Forest Practices Act stipulated, it was never seriously enforced by those charged with the state forests' stewardship. The Board of Forestry was under the control of Corporate Timber by virtue of Corporate Timber friendly governors having appointed compliant members to this body. The CDF, under the BOF's direction, had minimized conservation in favor of economic considerations and the long term results had been continued clearcutting, and deforestation, not to mention the loss of timber jobs due to corporate profiteering.¹³

The new law would provide permanent protection for most of the state's remaining old growth forests and require sustained yield, uneven-age managed forestry on all private timberland. Clearcutting over two acres in area as well as raw-log exports would be banned, and \$742 million would be set aside for buyouts of more sensitive old growth stands, including Headwaters Forest. Specific highlights of the proposed law also included the following:

"Section 6(m) of the initiative would reconstitute the nine-member state board of forestry to include five members from the general public" one from a environmental organization, one timber county supervisor, one timberland owner with less than 500 acres, and one from the corporate timber industry. A ninth seat could be filled by a representative of Native American or labor concerns. In addition, new restrictions would prevent conflicts of interest on the board of forestry.

"Section 4 would put severe restrictions on CDF approval on plans for the removal of timber from old growth ancient forests, of which there are only a few left in Mendocino County. If feasible mitigations of logging plans could not assure the protection of wildlife in these ancient forests, the department

¹³ "Lost in the Woods", by Greg Goldin, *Los Angeles Weekly*, September 7, 1990.

of fish and game would be given authority to negotiate with the landowner for the timber rights. Appropriate mitigation measures are spelled out in the law, and the owner could appeal any determination of state agencies.

“To protect workers, provisions are made in the initiative for the reemployment of loggers and millworkers laid off as a result of old growth buyouts.

“Section 6 would require that all timber harvests on private timberlands meet strict requirements designed to assure sustained yield. Clearcuts more than two acres are banned, and timber operators given three years to make a plan for maximum sustained yield on their holdings. In the meantime, some thinning and shelterwood removal would be allowed under the act.

“In 150 years, only the selective harvest of mature trees would be allowed under the new law. For redwood trees, the standard of maturity is from 90 to 120 years of age. And for Douglas fir, the standard is from 60 to 80 years of age.

“In addition, protections for lakes, streams, and watercourses are strengthened, and logging roads and decks would be more strictly regulated.

“Section 8 creates the Ancient Forest Protection Fund and authorizes \$742 million in bonds for the acquisition of old growth forests.”¹⁴

The advocates of this measure faced a challenging uphill climb. To begin with, in order to ensure that the initiative needed 600,000 voters' signatures to place it on the November 1990 ballot.¹⁵ It was not, at any time, a project of campaign proposed by Earth First!, as the radical environmental movement had no process for such endorsements, nor did a majority of Earth First!ers know about it, let alone participate in its drafting, yet Corporate Timber went to great lengths to associate it with Earth First! and others they could readily scapegoat as “unwashed-out-of-town-jobless-hippies-on-drugs” on the one hand, or “elitist-Volvo-driving-three-piece-suit-wearing-bureaucrats” on the other. There were even a few who simply dismissed the effort—indeed all forestry regulation—as “communism!”¹⁶ All three of the North Coast's major timber corporations hired Hill & Knowlton to manage a multimillion dollar propaganda campaign against the measure.¹⁷ The city councils of various timber dependent communities were no exception.¹⁸ On March 5, 1990, the City of Fortuna voted to go on record opposing the measure. Eureka's city council followed suit just two days later.¹⁹

¹⁴ Johnson, November 1, 1989, op. cit.

¹⁵ “P-L's Old Growth May be on Ballot”, by Andy Alm, *EcoNews*, October 1989.

¹⁶ “Lumber Industry Knows its Job”, letter to the editor by Charles Anderson, *Eureka Times-Standard*, January 7, 1990.

¹⁷ “The Judi Bari Bombing Revisited: Big Timber, Public Relations, and the FBI”, by Nicholas Wilson, *Albion Monitor*, May 28, 1999.

¹⁸ “Fortuna to Lobby Against 3 Timber Initiatives”, by Ed Lion, *Eureka Times-Standard*, March 6, 1990.

¹⁹ “Eureka Council Opposes Measure Cutting Harvests”, *Eureka Times-Standard*, March 8, 1990.

John Campbell lead the challenge in Humboldt County. He promised that the opposition to Forests Forever would include not only Corporate Timber, but landowners and sawmill owners as well, and that they would “use everything at their disposal to combat the initiative, including advertising campaigns and perhaps even a counter initiative.” In an interview with the *Eureka Times-Standard*, the Pacific Lumber executive said of *Forests Forever*:

“It’s a very sweeping document (which) takes the professional management of the forest out of the hands of the foresters. The potential job loss at P-L could be as high as 800 jobs (out of 1300) the reason is that we operate three old growth sawmills that depend on the type of timber most impacted by the initiative.”²⁰

This was an incredibly dubious argument given the fact that P-L had operated for over three quarters of a century with two of those three mills using the very sort of logging practices called for in *Forests Forever* with no apparent economic doldrums, and the third such facility—the former L-P mill in Carlotta which had been purchased six months after the Maxxam takeover could either be retooled or sold just as easily as it had been purchased. Nevertheless, it was accepted as credible, in particular by the *Humboldt Beacon and Fortuna Advance*, which further opined:

“Environmental groups have created a melodrama, wherein they distort reality. They cast, in a negative multimedia light, good companies like P-L as marauders, rapists of the awe-inspiring virgin redwood forests. It is an emotional issue, an issue that can be presented to millions of California voters in an unrealistic, melodramatic manner. It is an issue the groups can seize on to gain support, and to gain funds.”²¹

Again, the opinions expressed by the *Humboldt Beacon and Fortuna Advance* almost exactly matched those of John Campbell who declared:

“I think the environmental movement in the United States has become a big business. They have large stocks (sic), large budgets; they are highly organized, and they need a lot of funding, so they need a popular cause for people to focus on. I think it just happens to be Pacific Lumber’s turn. The redwoods are certainly majestic. They have sort of an aurora about them in the United States.”²²

²⁰ “Face-to-Face: Initiative Could Devastate Local Timber Industry”, John Campbell interviewed by the *Eureka Times-Standard*, December 28, 1989.

²¹ “Environmentalists Send Frightening Message”, editorial, *Humboldt Beacon and Fortuna Advance*, December 14, 1989.

²² “PALCO President Attacks Initiatives”, by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, December 7, 1989.

It seemed to be no leap of logic for Corporate Timber to excoriate their critics of being ‘socialistic’ on one hand and ‘too capitalistic’ on the other (though Campbell offered no clue on which stock exchange shares in environmentalist organizations could be traded), and yet a good many gullible people accepted such statements with little question. The *Humboldt Beacon and Fortuna Advance* editorial then trotted out the all-too-familiar talking points, including the claim that hundreds of thousands of acres of old growth redwoods were already preserved in parks, in no small part due to the efforts of Pacific Lumber²³, which was technically true, but no distinction was made by the editors between the company pre- and post- Maxxam—as if there was little or no significant difference. Indeed, such statements also echoed Campbell’s essentially word for word.²⁴

Louisiana-Pacific’s Shep Tucker, as was expected, lead that corporation’s propaganda campaign in opposition to the initiative, and in doing so, also spoke for WECARE. Meanwhile, in *Mendocino* County, Corporate Timber—Georgia Pacific in particular—found a ready and willing spokesperson against Forests Forever, and that was IWA Local 3-469 Union Representative Don Nelson. The union official, who had supported similar—albeit more local—measures in the past, issued a scathing attack on the new initiative, which he sent to virtually every newspaper in every community in Humboldt and Mendocino Counties in December of 1989. He warned voters not to sign the ballot petition, “unless (they) were in favor of total wilderness, isolation, and unemployment.”²⁵

²³ Editorial, December 14, 1989, op. cit.

²⁴ Simmons, December 7, 1989, op. cit. Much of the Corporate Timber opposition to both *Forests Forever* and the *Timber Bond Act* was reflexive. For example, John Campbell publically admitted, as late as November 30, 1989, that Pacific Lumber had not reviewed either measure closely, adding, “We at Pacific Lumber do not think it is correct to turn over the entire system outside of the legislative process,” in Simmons, December 7, 1989, op. cit; If Campbell preferred the legislative process he wasn’t enthusiastically singing the praises of it when Democratic Congressman Fortney “Pete” Stark introduced a bill to designate Headwaters Forest as a federally protected “wild and scenic” study area. In announcing his bill, Stark declared, “This legislation is intended to stop any logging [in Headwaters] until we can determine if this outstanding area should be preserved.” P-L spokeswoman Mary Bullwinkel declared that the measure represented a “taking” of private property and added, “It also takes with it the jobs that go with private property,” to which Stark rebutted, “P-L doesn’t care about the redwoods, the land, or people’s jobs. They only care about paying interest on junk bonds.” Stark’s fellow representative, Doug Bosco, was equally disdainful of the measure, declaring, “If the people in my district decide they want that area designated as wild and scenic, I’ll do it. I don’t appreciate another member sponsoring legislation for my district.” Bosco might have wanted to clarify exactly which people in his district he meant, because both Robert Sutherland and Darryl Cherney, who lived in his district, welcomed Stark’s proposal, but as critics of Maxxam, evidently they were nonpersons, as detailed in “PL Land Target of Late Bill: Headwaters Forest Study Angers Bosco,” From staff and Washington Bureau reports, *Eureka Times-Standard*, November 22, 1989.

²⁵ Letter to the editor, by Don Nelson, *Anderson Valley Advertiser*, December 6, 1989 (“Don Nelson Says No”), *Mendocino Commentary*, December 14, 1989, *Mendocino Beacon*, January 4, 1990 (“Read it Completely”), and *Eureka Times-Standard*, January 7, 1990 (“Forest Measure Would be Disaster for the North Coast”).

Eric Swanson, a 52-year-old mechanical engineer and Forests Forever supporter quickly countered Nelson. Swanson suggested that the embattled union official was either incapable of understanding the initiative or had not bothered to actually read it, stating:

“This Initiative will protect some of the remaining prime old-growth wildlife habitat left on private lands. Reliable estimates put the total Amount of old-growth remaining on private lands in California at about 450,000 acres. CDF’s Forest and Rangeland Resources Assessment Program (FRRAP) lists the statewide productive forest land base at 16,531,000 acres. Thus, even if all the privately held old-growth in the state was purchased by this act the productive land base would be reduced by only 2.7 percent Since only a fraction of the total old-growth could be purchased by this Act, the actual impact will be substantially less than 2.7 percent. This is hardly ‘total wilderness’.”²⁶

Nelson had also echoed the Corporate Timber talking points predicting economic apocalypse:

“This Act would only allow logging of ‘mature forests’ which were covered by a ‘sustainable forestry program’ which each owner of timberland would be required to have filed on his lands within 6 years of this act even if the timber were too small to harvest! It would require land owners to harvest less than their potential growth and it would not allow them to encourage faster growth on their timberlands. It makes the planting of young trees difficult if not impossible because it bans brush burning, a common practice and one that is part of the nature’s process of redwood forest regeneration. A mature forest would be at least 120 years old. Only then could logging occur. Since most of California private timber stands are less than 60 years old, it would cause at least 60 years of unemployment for the loggers and mill workers in California today.

“The section on worker’s protection provides that for certifiable job losses caused by the acquisition of timberlands under this Act there would be compensation for employees identified by the employer as affected but only if the employer agrees to rehire those employees when their position becomes reavailable! It does nothing for those unemployed because of the harvesting restrictions in the Act.

²⁶ Letter to the editor, by Eric Swanson, *Anderson Valley Advertiser*, December 27, 1989 (“Sustained Yield and Don Nelson’s Credibility”), *Ukiah Daily Journal*, December 28, 1989 (“Assertions are Ridiculous”), and *Mendocino Beacon*, January 4, 1990 (“Disagrees With IWA’s Don Nelson”).

“No employer laying a worker off due to this Act could guarantee to rehire that employee because there would be no jobs available in the employees’ lifetime in the lumber industry.” 11.0pt;²⁷

Swanson’s response to Nelson stated:

“This Initiative mandates sustained yield, something Don has advocated for years. Simply put, we won’t be able to cut more than we grow. Don’s allegation that the Initiative would result in 60 years of unemployment is absurd. The Initiative does require the sustainable harvest of mature trees (that is, trees which have reached their peak lumber production) by the year 2140. That’s 150 years from now! Even more time would be allowed for poor growing sites. The Initiative specifically states that periodic harvests are to continue throughout this period. As the lands are restored to maximum productivity the harvest will steadily increase.

“According to FRRAP, the projected growth in California for the 1990-2000 time frame is 3,667,211 MBF per year. The projected harvest for the same period is 3,992,569 MBF. Thus, if we reduced the harvest by 6.5 percent statewide, we would achieve sustained yield. That hardly sounds like 60 years of unemployment.”²⁸

It was obvious in any case that the *actual* reason for the widespread timber industry opposition to *Forests Forever* had little to do with potential job losses, because the industry had already, through their own profit-oriented practices, downsized the workforce significantly since the passage of Z’Berg Nejedly. The *real* danger to Corporate Timber was that the initiative would undermine their economic and political stranglehold on California’s forests. The “Timber Wars” were already running hot. Now they were likely to explode.

²⁷ Don Nelson, December 6, 1989, op. cit.

²⁸ Swanson, December 27, 1989, op. cit.

24. El Pio

“The anti-corporate sentiment voiced by the very people who labor in the woods and mills could be a powerful force in the struggle to save forests and local timber jobs. However, the workers lack a militant organization with a coherent strategy for achieving that goal. In that vacuum, a worker-environmentalist alliance has a chance to develop.”

—Don Lipmanson.¹

“This is the Pearl Harbor to our North Coast, and we’re going to mobilize people. We look forward to mill workers joining us on the line when they realize our interests are theirs.”

—Judi Bari²

While the controversy over the spotted owl, The Lorax, and *Forests Forever* continued to escalate, at long last, LP’s actual reason for the closures of the Potter Valley and Red Bluff mills came to light. The mill had closed in April and there were hopes and rumors that the mill would be sold to another operator and reopened, but it was not to be.³ No sooner had L-P been fined by the California State water quality agency to clean up contamination of the Russian River caused by its Ukiah mill⁴, when the *Los Angeles Times* broke to story that the company was in the final stages of negotiating an agreement with the government of Mexico to open up a secondary lumber processing facility at El Sauzal, a small fishing village near Ensenada in Baja California.⁵ This new 70-100 acre mill would serve as a drying and planning facility that would process raw logs shipped out of California and elsewhere. However, it was also evident that the Mexican Government had jumped the gun in revealing the details of the proposal before L-P had crafted their P.R strategy.⁶ Caught red handed, L-P

¹ “Opinion”, by Don Lipmanson, *Mendocino Commentary*, October 5, 1989.

² “Baja Timber Plan Sets Off Cry of Protest”, by Mike Geniella, *Santa Rosa Press Democrat*, September 16, 1989.

³ “PV Mill Closure; Sawmill Expected to Run Out of Logs Later This Week”, by Keith Michaud, *Ukiah Daily Journal*, April 24, 1989.

⁴ “State Fines L-P \$10,000; Holds \$300,000 Hammer Over Local Lumber Company’s Head”, by Keith Michaud, *Ukiah Daily Journal*, August 25, 1989.

⁵ “L-P Negotiating Deal for Baja; Lumber Producer to Build Plant”, by Chris Kraul, *Los Angeles Times*, reprinted in the *Santa Rosa Press Democrat*, September 15, 1989.

⁶ “LP Plans Mexico Expansion”, by Richard Johnson, *Mendocino Country Environmentalist*, September 15, 1989.

reluctantly admitted what timber workers and environmental activists had suspected might be true for several months, that the company was engaged in cut-‘n-run logging.

According to the article, the company’s application was part of the growing move by multinational corporations to take advantage of the maquiladora program—a forerunner to the North American Free Trade Agreement (NAFTA)—which was designed to allow them to take advantage of favorable, liberalized investment laws there. Likewise, corporations would also benefit from much laxer environmental regulations and substantially cheaper wages, averaging approximately \$0.50 per hour, for example for mill workers, as opposed to \$7-\$10 per hour in *nonunion* facilities in California. L-P had planned to export as much as 300 million board feet of unprocessed “green” lumber for processing in Mexico, where they would employ 1,000. Had those jobs stayed in California, they would have kept the laid off millworkers employed. ⁷

Environmentalists, who had been complaining about L-P’s exporting jobs, overcutting, and destroying the resource base for years, were angry, but hardly surprised. It made no sense whatsoever to them to locate a redwood processing facility anywhere but within the area in which redwoods still grew, and they immediately accused L-P of ulterior motives.⁸ Betty Ball elaborated:

“(L-P’s move is a) blatant attempt to avoid our own environmental regulations, and instead go to Mexico where they won’t have to worry about a regional water quality board which is threatening to fine them \$300,000 in a lawsuit like the one filed over toxic emissions from their pulpwood plant in Samoa.”⁹

Tim McKay of the North Coast Environmental Center accused L-P of yet another divide-and-conquer tactic, declaring:

“It’s ironic that the same company that has done so much to distribute yellow Styrofoam balls and ribbons as a symbol of the plight of the lumber workers, and to pit them against the conservationists...is secretly negotiating to export jobs. It is clear that the yellow ribbons are more truly symbolic of the fact that timber workers are hostages to a ruthless industry.”¹⁰

Gail Lucas decried the questionable economics of the proposal, saying, “Those jobs in Mexico could be jobs for Northern California. People just don’t seem to understand that last year alone, log exports from the Pacific Northwest meant the exporting of 37,000 potential jobs.”¹¹

⁷ “Jobs Automation and Exports”, by Eric Swanson, *Mendocino Country Environmentalist*, July 22, 1992.

⁸ “Mexico Lumber Remanufacturing Raises Furor”, staff report, *Willits News*, September 20, 1989.

⁹ “Baja Timber Plan Sets Off Cry of Protest”, by Mike Geniella, *Santa Rosa Press Democrat*, September 16, 1989.

¹⁰ “L-P Exports Jobs to Baja”, by Tim McKay, *EcoNews*, October 1989.

¹¹ Geniella, September 16, 1989, op. cit.

L-P had evidently been counting on the unions, gyppos, and politicians to help them once again shift the blame to “unwashed-out-of-town-jobless-hippies-on-drugs”, but the company had used this trick far too many times to be taken seriously. Richard Khamsi, business agent for the Humboldt-Del Norte County Central Labor Council of the AFL-CIO called L-P’s move “socially irresponsible”, and further declared, “Those [soon to be lost] manufacturing jobs are extremely important to this area.” Gary Haberman denounced the company’s plan as “un-American” and pointed out that local workers would be at a competitive disadvantage due to the working conditions extant at the Mexican location, which he described as “slave-like”. Doug Dickson, official for the statewide social workers union agreed that the move “(Would) impoverish the working community.” Mike Evers of the Humboldt County Public Employees Association agreed, opining that in Baja California, L-P, “(wouldn’t) have to agree to eight-hour days, (and) industrial actions (wouldn’t) be a problem, (because) they (wouldn’t) have to pay workers compensation when someone loses a finger.”¹²

In Mendocino County, even IWA Local 3-469 representative Don Nelson lashed out at Louisiana-Pacific in a letter to Doug Bosco, declaring:

“L-P’s blatant disregard for workers and communities of the North Coast by their proposal to move the planning and drying of their redwood lumber to Mexico demands action on your part immediately...(L-P’s) problem is corporate mismanagement that is leading to the destruction of their North Coast timber base. *L-P’s overcut of the North Coast has been documented.*”¹³

“These corporations are robbing the natural resources of Northern California and we’re getting less and less in return. It’s bad enough the profits go somewhere else, now the jobs are too.”¹⁴

The announcement shocked other locals, including Walter Smith, whose gyppo operation had performed many cuts for LP. As early as 1985, Smith had expressed frustrations with LP, albeit discretely.¹⁵ After L-P made their intentions clear, Smith felt that the time for discretion was long past. “The real value of [timber] wages and benefits has declined over the past ten years...workers feel betrayed, and they’re mad as hell,” declared Smith.¹⁶

¹² “Local Officials Condemn L-P Move”, by Marie Gravelle, *Eureka Times-Standard*, September 26, 1989.

¹³ “L-P Plan Under Attack Again”, by Keith Michaud, *Ukiah Daily News*, September 27, 1989. *Emphasis added.*

¹⁴ Geniella, September 16, 1989, op. cit.

¹⁵ “Kenneth O. Smith and Walter Smith: Gyppo Partners, Pacific Coast Timber Harvesting”, Interviewed by Beth Bosk, *New Settler Interview*, Issue #21, June 1987.

¹⁶ Lipmanson, October 5, 1989, op. cit.

The announcement even angered politicians normally willing to kowtow to Corporate Timber.¹⁷ For example, Assemblyman Dan Hauser was incensed that his first knowledge of the move had come from the *Los Angeles Times* even though he and other lawmakers had been “negotiating” with L-P (as well as G-P and Maxxam). “L-P is treating the North Coast like a third world country,” Hauser declared in a press statement, and threatened to propose legislation that would require that redwood milling operations take place within the county or local region where the wood was logged.¹⁸ “In the long run it will export jobs and lead to potential overcutting and destruction of the resource base,” he further warned. Meanwhile, State Senator Barry Keene stated, “It really erodes their credibility for them to say that they’re benefactors in the community and then to act as predators. I think we need to begin looking at this in an adversarial framework, and I’m certainly going to begin doing that.”¹⁹

With few allies to call upon, L-P invoked “economics” to justify their actions. Shep Tucker hastily denied that the company was exporting jobs, that the new mill would actually facilitate the expansion of L-P, that its location—where the annual rainfall averaged less than 9 inches—was chosen due to the climate being more favorable to drying lumber, and that the plant would better serve its customers in Southern California and the American Southwest.²⁰ Tucker also denied that there would be an increase in the rate of redwood logging on the north coast.²¹ When pressed, however, he conceded, “Look, it’s a global economy, and it’s no secret we’re going to make savings in labor costs. We want to build where we can get good quality and make a profit, which is what (business is) all about. I’m not afraid to say that.”²²

The *Santa Rosa Press Democrat* didn’t find Tucker’s arguments at all convincing, opining:

“The truth is that L-P wants to build a mill in Ensenada, 90 miles south of San Diego, because labor is cheap there—much cheaper than in Mendocino County, and lower costs mean lower prices and larger profits, both reasonable and important goals for a business, but businesses must do more than cut costs. They must be good citizens in the places where they do business.

“In that area, Louisiana-Pacific is stumbling. It’s southern strategy has managed to offend almost everybody in Mendocino County—from environmentalists who fear a wholesale attack on forests to timber industry workers who see their jobs sailing away.”²³

¹⁷ “Local Officials Condemn L-P Move”, by Marie Gravelle, *Eureka Times-Standard*, September 26, 1989.

¹⁸ “Mexico Lumber Remanufacturing Raises Furor”, staff report, *Willits News*, September 20, 1989.

¹⁹ Gravelle, September 26, 1989, op. cit.

²⁰ Johnson, September 15, 1989, op. cit.

²¹ “Mexico Lumber Remanufacturing Raises Furor”, staff report, *Willits News*, September 20, 1989.

²² Geniella, September 16, 1989, op. cit.

²³ “L-P Finds a Short Cut to Orange County”, editorial, *Santa Rosa Press Democrat*, September 16, 1989.

Only the *Humboldt Beacon and Fortuna Advance* editor Glenn Simmons, who was always willing to follow Corporate Timber—even off the edge of a cliff if asked—seemed willing to swallow Tucker’s explanation, opining:

“The decision by Louisiana-Pacific to locate a redwood remanufacturing plant in Mexico is one based on economics. Because the *L.A. Times* broke the story, with the *Times-Standard* running a similar story shortly thereafter, an alliance of politicians, union leaders, and environmentalists gathered together to hold a news conference blasting L-P’s plans last week.

“Did they listen to L-P spokesman Shep Tucker? No. They simply ignored L-P’s assertion that by locating the plant in Mexico, the company will become more competitive and stronger in a growing international market. Tucker insists that the Mexico based plant will help maintain existing North Coast jobs.

“Union leaders such as Gary Haberman, Mike Evers, and Dough Dickson, environmentalist Tim McKay, Assembly man Dan Hauser and state Sen. Barry Keene all resorted to knee jerk reactions to unfairly blast L-P...”²⁴

Perhaps one might have wanted to Simmons if he believed that absolutely everything Tucker said was the truth and if so, on what basis did he stake his claims? L-P’s alleged talk of expansion was curious given the fact that only ten months earlier they had decried the lack of logs available to keep the aforementioned mills open, “due to environmental lawsuits”—lawsuits which didn’t actually exist. Despite LP’s closing those facilities, plus a mill in Chico and partial cutbacks in Cloverdale, the company had announced record semi-annual earnings, equaling \$88.3 million—a 31% increase—in addition to record sales totaling \$993.1 million for 1989. The company was, at that time, the world’s second largest lumber producer, operating 115 plants employing 14,000 in the United States and Canada.²⁵ L-P had grown “like a cancer”, while timber prices had grown rapidly and pulp prices had exploded in the previous two years. L-P couldn’t very well claim poverty.²⁶

Mendocino County was certainly up in arms. The manner in which news about the move had been broken was the main topic of concern at the Board of Supervisors meeting on September 19, 1990. Norm de Vall was especially angry and went as far as to suggest that consumers, labor unions, and environmentalists should unite and call a consumer boycott (as they had four years previously to oppose Garlon spraying). “Thousands of jobs, thousands of homes are going offshore. Those built here will be very expensive because of that,” he declared. Liz Henry shared similar sentiments, and

²⁴ “Over the Edge: Business Decision Dictates Location”, editorial by Glenn Simmons, *Humboldt beacon and Fortuna Advance*, September 28, 1989.

²⁵ Johnson, September 15, 1989, op. cit.

²⁶ Lipmanson, October 5, 1989, op. cit.

the two were unexpectedly joined by James Eddie, who was not normally one to rock the boat. He accused L-P of, "Moving us back to a colonial state (and that similar corporate moves were) moving us toward a society of either the very rich...or the very poor (leading to) the erosion of the working middle class." Meca Wawona, a long time environmental activist (one of four present that spoke out against the move) declared that L-P's claims that no jobs would be lost was untenable, because the decision would enable further automation and replacement of mixed use forestry with tree plantations, automation, and waferboard.²⁷ The supervisors placed an item on the agenda for their October 10, 1989 meeting on the issue and invited L-P to send a representative to explain their reasoning for the move.²⁸

L-P had not been present but indicated that representatives would be available by October 10 to offer their perspective on the matter. Shep Tucker indicated that they had elected not to attend the September 19 meeting, because they "chose not to get into a hissing match" with the supervisors. He also warned them that neither they nor the state legislature could "dictate free enterprise" He further declared, "(The supervisors are) going to have to realize we didn't have an option in the matter...(the *Los Angeles Times* article) was not our choice." He then reiterated that L-P was "wholly, 100 percent committed to Northern California," and *again* proceeded to shift the blame for the company's move to the environmentalists.²⁹

Then, displaying even greater chutzpah, L-P officials showed up unannounced at the *September 25* supervisors meeting, avoiding any contact with the angry citizens prepared to confront them two weeks later. The company's sleight of hand had been enabled by supervisor Marilyn Butcher who allowed L-P's western division manager Joe Wheeler—one of the three company officials present—to read a prepared statement explaining its reasons for the move, and further declare:

"I was terribly disappointed with the reaction (of the supervisors) without even giving us a call...I am sure the suggestion of a boycott of L-P products called for by Supervisor de Vall was premature, and reviewing the project as I have outlined, will not only be advisable, since the only people hurt by a boycott would be the employees of Louisiana-Pacific."

Marilyn Butcher and Nelson Redding responded approvingly to this and other statements by L-P spokesmen Wheeler, Tucker, and Chris Rowney, but the other supervisors were angered. Liz Henry stated that while the new mill might not result in the loss of jobs, it was not adding any new ones. Jim Eddie was even angrier than he had been at the previous meeting, pounding his fist on the desk, stating scoldingly that

²⁷ "Proposed L-P Mexico Plant Angers Supervisors", by Keith Michaud, *Ukiah Daily Journal*, September 20, 1989.

²⁸ "L-P Roasted in Abstentia: the Opposition Makes its Case", by Rob Anderson, *Anderson Valley Advertiser*, October 11, 1989.

²⁹ Michaud, September 20, 1989, op. cit.

the county could no longer trust L-P given their closures of the Potter Valley and Red Bluff mills—even though more L-P logging trucks could be seen hauling timber than ever before. He then accused the corporation of being un-American, and more akin to being an outsider than the environmentalists the latter so quickly blamed for the county’s economic ills, stating, “You may have run the (Potter Valley) mill for a while, but I have lived all my life with it.” Norm de Vall subsequently accused L-P of playing politics by showing up announced before the meeting where the discussion over the move had been scheduled. This statement drew a strong rebuke from Butcher, who retorted, “Norman you boggle the mind,” and accused *him* of leaving the initial meeting early to inform environmentalists of the October 10 meeting, a charge de Vall denied.³⁰

If anything the opposite was true, and in response to *Butcher*, de Vall was incensed and agreed to lend his support to local environmental and labor leaders who were demanding that L-P appear at the October 10th meeting to face public scrutiny. In exchange, the leaders agreed to appear at a press conference organized by de Vall the next day, September 26.³¹ At the event, de Vall criticized Wheeler’s comments as being, “an embarrassment to local government in Mendocino County.”³² IWA Local #3-469 business agent Don Nelson also rattled his saber over L-P’s planned move to Mexico, calling the announcement, “shocking.” He further stated, “It’s absolutely contrary to all of the policies of any timber company in the country and it breaks the faith of the residents of the county and the communities that depend on our own timber resources. It’s bad enough the profits go somewhere else; now the jobs are too.”³³ Walter Smith denounced L-P’s “Wall Street economics (that) maximized profits and liquidated assets (which) threatened timberlands in Northern California.”³⁴ Nelson and de Vall concentrated their ire on L-P’s profiteering, but said nothing about the company’s toxic emissions, its destructive clearcutting, or its exploitative treatment of its workers.

De Vall’s and Nelson’s proposed response was fairly impotent as well, suggesting little beyond lobbying elected state officials, such as Barry Keene and Doug Bosco. This was evidently too much for Judi Bari, who was present at the event.³⁵ She declared, “L-P had given new meaning to the ‘cut and run’ theory.”³⁶ She then pointed out that Keene and Bosco were part of the problem, themselves being too willing to kowtow to the whims of the corporations, succumbing to “bare corporate greed, careening over a cliff with a madman in control.” Bari then suggested (justifiably) that Nelson was

³⁰ “Tempers Flare in L-P Mexico Deal”, by Keith Michaud, *Ukiah Daily Journal*, September 26, 1989.

³¹ Lipmanson, October 5, 1989, op. cit.

³² “L-P Plan Under Attack Again”, by Keith Michaud, *Ukiah Daily News*, September 27, 1989.

³³ “Mexico Lumber Remanufacturing Raises Furor”, staff report, *Willits News*, September 20, 1989.

³⁴ Michaud, September 27, 1989, op. cit.

³⁵ Lipmanson, October 5, 1989, op. cit.

³⁶ “Mexico Lumber Remanufacturing Raises Furor”, staff report, *Willits News*, September 20, 1989.

little more than a figurehead for G-P management. Nelson exploded, again denouncing National Tree Sit Week, and declaring Earth First!, “so far outside (of) the mainstream (that) they’ve lost all credibility.” He then stormed out of the Supervisor’s conference room “with de Vall close at his heels.”³⁷ This conference, shown on local cable access community television was witnessed by many interested residents of Mendocino County, including Anna Marie Stenberg in particular.³⁸

The county residents were to be disappointed if they thought L-P would actually show up and face their scrutiny, however. Shep Tucker made it quite clear that company representatives would not appear, declaring, “We have said what we needed to say. It’s not in our best interests to continue the debate.” He also admitted that their main reason for showing up two weeks previously was specifically to avoid confrontation with the environmentalists.³⁹ The issue remained on the agenda for the October 10 Supervisors’ meeting, however, and that allowed critics of the move to not only appear and voice their mind, but to hold a protest rally on the county courthouse steps on the main thoroughfare through Ukiah preceding the meeting as well.⁴⁰

At the meeting itself, Supervisor de Vall opened discussion by reminding everyone that the board had not yet taken a position on the issue. He introduced a draft of a letter for board approval to be addressed to California Senators Allan Cranston and Pete Wilson as well as California Governor Deukmejian, with copies to be sent to Bosco, Keene, and Hauser. The letter addressed L-P’s move and the threat that caused to local timber jobs, the potential for the loss of jobs and local timber related operations to jeopardize the Eureka Southern Railway, and preserving the timber industry (as opposed to the pulp industry), and the potential banning of log exports. Supervisor Nelson Redding, consistently a voice for corporate timber was noticeably absent.⁴¹ Supervisor James Eddie focused on the effect changing L-P industrial focus would have on county tax revenue. Recently elected Supervisor Liz Henry, in her first year of service, proved herself to be a stark contrast to her predecessor, and she stated that the conflict was really about ethics and treating people with dignity, including the County, the workers, and the Mexican people.⁴²

When the public comment period commenced, it became readily apparent why Wheeler had elected to appear two weeks previously. During the public comment period, speaker after speaker denounced the corporation’s proposed move.⁴³

³⁷ Lipmanson, October 5, 1989, op. cit.

³⁸ Interview with Anna Marie Stenberg, held October 18, 2009.

³⁹ “L-P-Mexico Protesters Set to Rally”, by Lois O’Rourke, *Ukiah Daily Journal*, October 9, 1989.

⁴⁰ Rob Anderson, October 11, 1989, op. cit.

⁴¹ “County Seeks State, Federal Help to Prohibit Raw-Lumber Exports”, by Mike Beeson, *North Coast News*, October 19, 1989.

⁴² Rob Anderson, October 11, 1989, op. cit.

⁴³ Rob Anderson, October 11, 1989, op. cit.

Bill Johnson decried the “loss of local control and the loss of resource base,” and he denounced Merlo’s “logging to infinity” brand of forestry.⁴⁴

Larry Sheehy, representing the Mendocino Environmental Center (MEC), cited precedent involving closing steel mills in Pennsylvania in 1986, suggesting that the board could exercise the power of eminent domain to seize L-P’s holdings locally.⁴⁵

Herb Blood excoriated L-P for pollution the Russian River.⁴⁶

Local timber operator Bill Mannix scoffed at L-P’s professed reason for its establishment of a plant in Mexico, namely the climactic advantages for drying boards by pointing out that San Diego offers the same climate. Mannix instead submitted that the company’s real motivation was cheap labor.⁴⁷

Naomi Wagner, an environmental activist who was concurrently involved in a David-versus-Goliath struggle by her Sherwood Road Protective Association (SherPA) against L-P for unpaid road assessments, stated that it was quite clear that the corporation was not negotiating in good faith. She argued that L-P had been blocking all attempts by the County appointed Mendocino County Forest Advisory Committee to gather key figures upon which to base a realistic inventory of the company’s resources.⁴⁸

Class issues were a major focus of the discussion as well. Willits resident Jack Reynolds elaborated on the matter of labor conditions, noting that L-P could save as much as \$30,000 annually per worker by relocating to Mexico, where the average hourly wage was \$0.88. He cited examples of 700 businesses, like L-P, who had followed suit already.⁴⁹ He further went on to state that L-P’s actions were not “un-American” as many critics had previously claimed, suggesting instead that the corporation was “as American as apple pie and motherhood” when it came to capitalism. He then referred to the long and bloody history of employing class exploitation of workers, particularly Chinese laborers at the turn of the 20th Century. He described the working conditions in Ensenada, Mexico as “abysmal” and the shantytowns in which the workers lived as “sinkholes.” “The enemy of job security is greed,” he said, “not spotted owls or tree sitters.”⁵⁰

Ludie Cardwell, who claimed to own 220 acres of forest with 700 trees ready to be cut, was the only speaker to support L-P’s planned move, and insisted that the rest of the speakers were nothing more than “socialists and communists,” and that they would not scare him off. Like so many other apologists for corporate plunder, Cardwell argued that he didn’t blame the corporation for its attempt at capital flight, citing local hostility as a justifiable excuse for such actions, and denounced the banning of exports as “un-American.” Supervisor de Vall responded by explaining that the United

⁴⁴ Rob Anderson, October 11, 1989, op. cit.

⁴⁵ Rob Anderson, October 11, 1989, op. cit.

⁴⁶ Rob Anderson, October 11, 1989, op. cit.

⁴⁷ Rob Anderson, October 11, 1989, op. cit.

⁴⁸ Rob Anderson, October 11, 1989, op. cit.

⁴⁹ Beeson, October 19, 1989, op. cit.

⁵⁰ Rob Anderson, October 11, 1989, op. cit.

States banned the exports of many resources, adding that if the issue were one of National Security, and redwood products were deemed necessary for military purposes, their exports would have already been banned.⁵¹

Judi Bari offered a stark contrast to Cardwell. She accused L-P of holding Mendocino County hostage and offered her support for the eminent domain idea. She also stated that L-P treated its workers as badly as it did the forests, which brought an angry response from Supervisor Marilyn Butcher, the board's most outspoken Corporate Timber apologist. Butcher parroted the (by now hackneyed) argument that Earth First! was anti-worker, and cited the Cloverdale tree spiking incident as proof. Bari attempted to respond, but was interrupted repeatedly by Butcher, the latter evidently convinced that she had scored a rhetorical victory, but also apparently unwilling to face a potential challenge from Bari. "Let her speak!" shouted many voices from the audience, until Butcher became silent. Bari responded by reminding everyone that Earth First! had not spiked the tree that had injured Alexander, and that the fault lay with L-P, because of their lax safety standards, and that the company had knowingly sent the log through the mill, even though it knew it had been spiked. She also noted that not all Earth First!ers—herself included—endorsed tree spiking.⁵²

If Bari's retort had taken the wind out of Butcher's sails, she was soon to be outdone by her partner, Darryl Cherney, who—outfitted in a Mexican serape and sombrero—was tuning his guitar, and announced that he was about to offer a somewhat differently styled testimony, "to stimulate the crowd's 'right-brain' activity."⁵³ Butcher looked noticeably perturbed as Cherney began singing the following song:

*He came from the clearcut hills of Roma,
To rape the redwoods of Sonoma,
He could clearcut forest like no other,
He said he learned his from his butcher and his mother.*

El-l-l-l Pio...

What have you done to Mendocino

*Now El Pio took his orders straight from the divinity,
Who said to him, "El Pio, thou shalt log to infinity!"
Then El Pio gets this great idea and he says, "AHA!"
I'll move my entire milling operation down to Ba-JA!!!!*

El-l-l-l Pio...

What have you done to Mendocino

⁵¹ Beeson, October 19, 1989, op. cit.

⁵² Rob Anderson, October 11, 1989, op. cit.

⁵³ Rob Anderson, October 11, 1989, op. cit.

*Then one day he gets a phone call from his brother, G-Pio,
Who says to him, "I think I'm down to my last tree-o,"
But El-Pio says to him, "No problem, just scrape-a' the forest floor!
Grind it up, glue it back to together, make-a' wafer board!"*

El-l-l-l Pio...

What have you done to Mendocino

*Then one day he gets news that causes him a-great pain,
When the Supervisors showed some courage and declared eminent domain!*

*And reality hits him like some bad dream-a,
When he finds a note that says, "No compromise, Tierra Prima!"*

El-l-l-l Pio...

*What have you done to Mendocino*⁵⁴

The mostly partisan audience loved it, and many joined in on the last chorus, which brought the house down. Supervisors de Vall and Henry even smiled, though Butcher and Eddie were visibly exasperated. The board ultimately voted to send the letter suggested by de Vall by a vote of 3-1, with Butcher the only dissenting voice.⁵⁵

The reaction in *Humboldt County* only slightly less dramatic. A week after the Mendocino County supervisors' meeting, at the Humboldt County Board of Supervisor's meeting on October 18, 1990, Cherney, similarly dressed, repeated his performance of *El-Pio*. He also asked why the company simply didn't open the new facility in the old mill in Potter Valley. The Humboldt County Board of Supervisors were somewhat more responsive, voting 5-0 (Sparks and Pritchard included) to send a letter to L-P admonishing the corporation to drop their plans for their Mexican expansion. The letter read, in part:

"Humboldt County workers could and would occupy the jobs L-P intends to create in Mexico if the remanufacturing plant were sited here instead. We entreat you to bear in mind Humboldt's first-rate workforce and the willingness of local leaders to work with you to create a feasible Humboldt County option."⁵⁶

The normally knee-jerk reactionary Anna Sparks downplayed her willingness to challenge L-P declaring, "All the letter says is that we'd like to talk to Merlo. I would

⁵⁴ *El Pio*, lyrics by Darryl Cherney, music by Darryl Cherney and George Shook, from the album *Timber*, 1991; Cherney actually wrote this song for Judi Bari's two daughters. The last verse was later altered, and the first two lines were changed to: "*Then one day he gets news that causes him great concern-o / When he finds out that both of his feller bunchers have been sterno-ed.*" The reasons for this change are described several chapters later.

⁵⁵ Rob Anderson, October 11, 1989, op. cit.

⁵⁶ "Board Urges L-P to Drop Mexico Plan", by Marie Gravelle, *Eureka Times-Standard*, October 19, 1989.

support anything that looks at keeping the jobs here,”⁵⁷ though she added (in reference to Cherney’s serenade), “It’s better to talk than to protest.”⁵⁸ This seemed to match the attitudes of their fellow supervisors representing the county on their southern border. That same day, Mendocino County Supervisor Eddie proposed sending an equally ineffectual letter to Keene and Hauser, asking for the state officials to draft legislation to support the local timber economy.⁵⁹ And that “deal” heralded a disturbing trend.

No sooner had L-P’s Mexican adventure been revealed when the *San Francisco Chronicle* reported that several other timber corporations, including Georgia-Pacific, were exploring the possibility of setting up shop in *Russia*. When confronted with reporters G-P spokesman David Odgers would only state that the company pursued business opportunities anywhere it could find them, including the “international marketplace.” This brought a response from Darryl Cherney who declared,

“In their attempts to modernize the Soviet Union, the Russians are making a mistake in thinking that current American forestry technology is good. Maybe we’ll need to establish an Earth First! branch in the Soviet Union. (It’s kind of ironic that) when we are holding demonstrations, the counter-demonstrators tell us to ‘Go to Russia!’ Look who *is* going to Russia.”⁶⁰

Within weeks, L-P broke ground for their new facility in Mexico.⁶¹

At this point, mere talk was cheap. The notion of eminent domain, though ignored by the Supervisors in both Humboldt and Mendocino Counties, wouldn’t go away, however. The idea horrified L-P as well as other representatives of corporate timber. Shep Tucker described the idea as “scary”, while Bill Dennison, president of the Timber Association of California stated, “Every property owner should be shaking in their shoes at the idea...it sounds like 1930s Germany to me.” Betty Ball, on the other hand, suggested the idea was entirely within the realm of American history, even if it was not currently popular. She declared:

“Politicians aren’t touching it with a 10-foot-pole...They’re not even going to openly discuss it. They will if they see a grassroots groundswell, but not until then... (however) I’ve seen a dramatic change in the past six months, with the escalation in logging, the mill closures, Harry Merlo’s comment that he wants it all and he’ll take it all, (Louisiana-Pacific’s) plans to build a plant in Mexico...

⁵⁷ Gravelle, October 19, 1989, op. cit.

⁵⁸ Beeson, October 19, 1989, op. cit.

⁵⁹ Gravelle, October 19, 1989, op. cit.

⁶⁰ “Article Says G-P is Going to USSR”, by Lois O’Rourke, *Ukiah Daily Journal*, October 22, 1989. Emphasis added.

⁶¹ L-P Breaks Ground In Mexico; Critics Lash Out”, *UPI Wire*, *Eureka Times-Standard*, November 8, 1989; and “L-P Says Mexico Plant Won’t Coast North Coast Jobs”, by Charles Winkler, *Eureka Times-Standard*, December 19, 1989.

“People are really changing their ideas about private property rights. With a right goes a responsibility and the corporations are being totally irresponsible...They may own the land, but on that land are streams, creeks and wildlife that are part of the public trust, not their personal property.”⁶²

Ball’s taking of the local community’s political pulse was not unrealistic. Corporate Timber’s manufactured consent was slipping away minute-by-minute.

⁶² “Attempts to Retake Forest Under Way”, by Judy Nichols, *North Coast News*, October 19, 1989. Dennison didn’t think too highly of preservationists or environmentalism, as he was an ardent Christian Fundamentalist, and had, in June of 1988 issued a document, written by fellow Fundamentalist H. L. Richardson, declaring holy war on the “heathen left.” (see “Timber’s Holy War”, by Darryl Cherney, *Country Activist*, August 1988 for details).

25. Sabo Tabby vs. Killa Godzilla

"Between 1914-18, when the IWW openly advocated ca'canny (better known as "sabotage"), it often used the symbol of an angry black cat, with claws borne, fur standing on end, and a bottlebrush tail, as visual code. Indeed, the "sabo-cat", (which may have originally been a tabby to provide a visual play-on-words, i.e. "sabo-tabby" for "sabotage") designed by none other than Solidarity Forever songsmith and IWW organizer Ralph Chaplin¹, is still used today by the IWW, Earth First!, and the admirers of both—sometimes to specifically encourage direct action, but generally as a totem.² And though the IWW and Earth First! may have openly advocated sabotage at different times during their existences, as Earth First!er George Draffan had pointed out, in actual fact, it was the timber workers themselves who actually practiced it more than anyone else.³ While this was often welcomed by the members of Local #1, at the same time, it also potentially caused problems as well.

"As opposition to Corporate Timber grew, North Coast activists anticipated a backlash. Already Earth First!ers in Arizona had been set up and framed for "terrorist" acts they didn't commit. It was only a matter of time before something locally would get sabotaged, blown up, or burned down and the North Coast activists would likely get the blame. Indeed, there were some hints that it had possibly already happened. Take the case of the mysterious burnings of the Okerstrom feller-buncher logging equipment.

"In addition to Louisiana-Pacific's outsourcing and waferboard production, the use of capital intensive logging equipment comprised the third component of that corporation's liquidation of The North Coast's forests and timber economy. In the fall of 1989, they introduced a new class of log harvesting machines known as "feller-bunchers" which looked like a giant construction machine, similar in appearance to an earth mover or crane. They had enormous claws which would grip the base of small to medium sized trees, and in each claw were saws which would then sever the tree near its base. Once cut, the claws would then lift the tree and stack it to be yarded out. These were ideally designed to work in even-aged rotation tree plantations, and to some extent, envisioned as a viable option for cutting trees in second and third growth forests. Since L-P had almost no old growth left to cut on the North Coast, having clearcut most of it already,

¹ Chaplin, Ralph, *Wobbly: The Rough and Tumble Story of an American Radical*, Chicago, University of Chicago Press, 1948.

² "Fellow Workers, Meet Earth First!: an Open Letter to Wobblies Everywhere", by x322339, *Industrial Worker*, May 1988.

³ "What's Really Going On in Timber", letter to the editor by George Draffan, *Earth First! Journal*, Samhain / November 1, 1988, and *Anderson Valley Advertiser*, November 16, 1988.

this machine would enable to the new “logging to infinity” and waferboard lumber production outlined by Harry Merlo. As an added bonus, feller-bunchers greatly reduced the size of logging crews down from six to two workers: one to operate the machine, and another to act as a spotter and guard.⁴

”L-P gave advance notice that they would favor gyppo operators in the competitive bidding process who were willing to use these \$700,000 behemoths, but as of late 1989, the only local Gyppo operator to use them was Willits based Okerstrom Logging (the same company who had sprayed the loggers at Juan Creek with Garlon four years earlier), who agreed to purchase three.⁵ The machine, described by many as essentially “a lawn mower for the forests”⁶ was universally hated by loggers, environmentalists, and other residents for various reasons, who started disparagingly referring to the monster as “Killa Godzilla,” due to both its destructiveness and its tendency to roar when under heavy strain.⁷ Okerstrom defended the machine, claiming that it didn’t reduce employment, on the grounds that it made “dangerous, brush choked sites loggable,” and also claimed that it had environmental benefits as well, because it reduced the need for skid trails normally caused by Caterpillar logging.⁸ What Okerstrom wasn’t telling anyone, however, was the obvious fact that this machine was to be used increasingly, resulting in greater and greater destruction of the forests. Sooner or later, the monster would devour all of the jobs, even if it temporarily added a few—which was a debatable claim to say the least.⁹

”The locals, including many loggers, did not welcome the machine’s intrusion into their neck of the woods. Okerstrom was using one of these units on L-P land near on Greenwood Road halfway to Elk, and west of Philo in southwestern Mendocino County throughout September and early October of 1989, nonstop from 5 AM to 8 PM at night. The noise was so loud, that it disrupted the daily lives of many neighbors who lived near the logging site.¹⁰ A coalition of Earth First!ers, IWW members, Greens, and other local residents spent several weeks planning an action to protest the feller buncher’s use, including conducting reconnaissance of the site, securing a location for a base camp, and organizing further support among the neighbors.¹¹ Two veterans of the antiwar movement, including Louis Korn, had agreed to chain themselves to

⁴ “In the Middle of Run Away History: Judi Bari, Earth First! Organizer, Mississippi Summer in the California Redwoods”, interview by Beth Bosk, *New Settler Interview*, issue #49, May 1990.

⁵ “Opinion: Sabotage!”, by Don Lipmanson, *Mendocino Commentary*, November 2, 1989, reprinted as “Black Cat Strikes Again”, by Don Lipmanson, *Industrial Worker*, February 1990.

⁶ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, November 1, 1989.

⁷ “Louis Korn Comments”, by Louis Korn, *Mendocino Commentary*, November 2, 1989.

⁸ Lipmanson, November 2, 1989, op. cit.

⁹ Bruce Anderson, November 1, 1989, and Lipmanson, November 2, 1989, op. cit.

¹⁰ Bruce Anderson, November 1, 1989, and Lipmanson, November 2, 1989, op. cit.

¹¹ Bosk, May 1990, op. cit.

the machine in symbolic protest, while the others would stand nearby, singing songs, distributing leaflets, and dialoging with the workers involved in the cut.¹²

"The activists planned their next move only to find that their thunder had been stolen. In mid October, during a heavy rainstorm, the machine fell silent.¹³ A couple of days before the planned demonstration, the organizers contacted one of the neighbors to announce the time of the action, saying something like "The demonstration is next Tuesday," to which the neighbor responded, "No it's not. I saw them pulling that machine out this morning. It was torched."¹⁴ Several eyewitnesses confirmed that the behemoth, its cab badly damaged by fire, had been slowly moved on a flat-bed truck along the Greenwood Road towards the coast.¹⁵ Okerstrom at first denied that anything like this had happened, even though it had been confirmed by as many as four separate witnesses, then he altered his story to suggest that a fire had occurred, but not to the feller-buncher.¹⁶

"Louisiana-Pacific as expected, blamed the destruction of the machine on "eco-terrorists," and Shep Tucker specifically named Earth First! as the prime suspect. There *had* been a great deal of equipment sabotage carried out in this particular part of Mendocino County, and it seemed to come in waves, suggesting it wasn't random or incidental. For starters, this logging site was not far away from the Cameron Road cut of two years earlier, when the spiked logs that had injured George Alexander had been harvested. Local Gyppo operator Charles Hiatt, who had logged a site on State Highway 128 near the coast, had reported that his crews had found minor damage to their equipment, including broken gauges, cut hoses, and even some blood smeared around the cabs. Boonville Gyppo Robert "Manchester" Pardini had sugar added and oil removed from several of his bulldozers on an L-P cut in the area that year. Nobody knows for sure who carried out any of these acts of vandalism, though everyone had their suspicions. Many of them followed the types of "ecotage" suggested by Ecodefense. And it was arguable that sabotage of logging equipment was somewhat effective at halting logging operations, even if tree spiking wasn't.¹⁷

"To be clear, Earth First! – IWW Local #1 had never publically advocated or participated in equipment sabotage *either*, but there was little they could do to prevent it, because vandalism and sabotage were tactics that were widespread in their use and certainly predated Earth First! (and even the IWW for that matter). Earth First!ers locally had not condemned equipment sabotage, and Darryl Cherney had even been on record stating, "destruction of machinery is morally justified under certain circumstances, while violence against other living things is not." Judi Bari had likewise stated, "History will remember people who destroy bulldozers as heroes...you win a lawsuit to

¹² Korn, November 2, op. cit.

¹³ Lipmanson, November 2, 1989, op. cit.

¹⁴ Bosk, May 1990, op. cit.

¹⁵ Lipmanson, November 2, 1989, op. cit.

¹⁶ Bosk, May 1990, op. cit.

¹⁷ Lipmanson, November 2, 1989, op. cit.

stop a logging plan, then the timber company files an identical plan the very next season. Besides sabotage, what else is left?"¹⁸ Judi Bari was no fool, however, and Earth First!ers were wary of engaging in any activity that might land them in serious legal jeopardy, especially in light of what happened to the Earth First!ers and their allies in Arizona.¹⁹ Bari insisted that not only did she not engage in sabotage herself, she did not know and did not want to know who did:

"We organizers, we don't cheat on our taxes. If somebody hands me a contribution, I'm going to declare it. We don't do sabotage. I don't even do civil disobedience because I don't want to hand myself over to Susan Massini and the 'Justice System' in this county. They would love to get a hold of me. They put Mike Roselle in jail for four months for a minor civil disobedience.

"So, we need to stay as clean as we can. We need to be as open and as public as we can. And we need to try to build broad, public support."²⁰

"In this particular case, Bari assumed that the loggers themselves had been the culprits, and even though she declared that she didn't know who they might have been, Bari reported that she had heard, second-hand, that loggers were bragging that they wanted "to take the machine out."²¹ As to why the workers would willingly engage in such acts, Bari had a very thorough and logical explanation:

"We all know that these people are cutting themselves out of jobs. And they all know it, too...Louisiana-Pacific, for example, sets the price per thousand (board feet), and as the woods become more depleted, it takes more and more labor to get the thousand out. And, since they have no collective bargaining...they have no say in what the price is that they're offered. So the price per thousand has become so low the gyppos cannot make enough off the cut to maintain their own equipment. What's happening is that wages have gone to a disgracefully low level—people are starting at \$9.00 an hour in the woods. That is an embarrassment. This is the most dangerous job in the United States, according to the Labor Department...

"(T)he corporations are threatening their jobs and equipment. They're doing it by paying them so little per thousand that they can't pay their employees a living wage, and they can't afford to maintain their own equipment. That's where the danger is coming from. It's not coming from Earth First!...

¹⁸ Lipmanson, November 2, 1989, op. cit.

¹⁹ Letter to the editor, by Judi Bari, *Mendocino Commentary*, November 16, 1989.

²⁰ Bosk, May 1990, op. cit.

²¹ Bari, November 16, op. cit.

“(W)hat is happening is that the smaller gyppos are being squeezed out, as the laws of capitalism play themselves out. The smaller companies have been increasingly squeezed out, and only the larger, more crass gyppos have survived.”²²

”These suspicions were echoed by Charles Hiatt, who considered the feller-buncher “an invitation to trouble.” Hiatt was no rabble-rouser, and he had suspected environmentalists might have sabotaged some of his own equipment earlier, but in the case of the feller-buncher, he also suspected workers’ dissatisfaction. Hiatt had refused to purchase one himself, not wanting to spend “half a million for a machine L-P wanted loggers to go for, but people don’t want,” even though he was not adverse to using heavy machinery (he owned a sizable fleet of heavy equipment, some of which he displayed publically in Boonville).²³

” It wasn’t even entirely clear that sabotage had been carried out *at all*. Indeed, as time passed, it became more apparent that the machine had simply caught fire due to misuse.²⁴ Okerstrom denied that it was, which was an indication that it was extremely unlikely that (had it actually been sabotage) environmentalists were responsible, because had that been the case, Okerstrom would have enthusiastically proclaimed it. He hadn’t. If it had been sabotage carried out by the workers, Okerstrom *couldn’t* admit it, because then his insurance wouldn’t have covered his other feller-bunchers.²⁵ It was not entirely out of the question that the gyppo owners *themselves* sometimes committed sabotage, because doing so would allow them to commit insurance fraud, collecting on the damage of equipment they didn’t actually want or need, but in the case of the Okerstrom feller-buncher, this is not likely. From every indication, the gyppo owner was only too happy to serve as Merlo’s guinea pig in the use of these new “Killa Godzillas”.²⁶ So if “Sabo-tabby” had indeed defeated Godzilla or the latter had defeated itself somehow, it remained a mystery. Meanwhile, the organizers of the aborted demonstration shelved their plans until the other “Killa Godzillas” could be found. Meanwhile a certain government “intelligence” agency watched quietly and, at the very least, took note of what Judi Bari had said or (more likely) *seemed* to have said.

²² “Some People Just Don’t Get It”, Judi Bari interviewed by Bruce Anderson, *Anderson Valley Advertiser*, June 13, 1990.

²³ Lipmanson, November 2, 1989, op. cit.

²⁴ “Reports of ‘Ecotage’ Remain Unconfirmed”, staff report, *Mendocino Beacon*, November 16, 1989.

²⁵ Bosk, May 1990, op. cit.

²⁶ “Press Statement”, by Karen Pickett, Tracy Katelman, Jennifer Biegel, and Karen Wood, August 29, 1990.

26. They Weren't Gonna Have No Wobbly Runnin' Their Logging Show

*Now Judi Bari is a union organizer,
A 'Mother Jones' at the Georgia-Pacific Mill,
She fought for the sawmill workers,
Hit by that PCB spill;
T. Marshall Hahn's calling GP shots from Atlanta,
Don Nelson sold him the union long ago,
They weren't gonna have no Wobbly,
Running their logging show;
So they spewed out their hatred,
And they laid out their scam,
Jerry Philbrick called for violence,
It was no secret what they planned...*

—lyrics excerpted from *Who Bombed Judi Bari?*, by Darryl Cherney, 1990

Meanwhile, in Fort Bragg, the rank and file dissent against the IWA Local #3-469 officialdom grew. Still incensed by Don Nelson's actions over the PCB Spill, and not at all satisfied with a second consecutive concessionary contract, the workers now had yet another reason to protest: a proposed dues increase. Claiming that the local faced a financial crisis, the embattled union leader proposed raising the members' dues from \$22.50 per month to \$29, an increase that amounted to more than a 25 percent rise. Ironically, IWA's Constitution limited the monthly dues rate to $2\frac{1}{2}$ times the wages of the lowest paid worker. The local's financial shortage had resulted from a decrease in the wages and the loss members due to G-P's outsourcing logging jobs to gyppos and automation of jobs in the quad mill.¹ The usual suspects readied themselves to blame "unwashed-out-of-town-jobless-hippies-on-drugs" once again.

Nelson presented his proposal in the form of a leaflet posted on the employee bulletin boards and distributed in the employee break rooms throughout the G-P Mill

¹ "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.

in Fort Bragg. The leaflet stated, “we are voting to maintain the ability of our union to function.” A group of rank and filers, however, led by a mill maintenance janitor, named Julie Wiles and her coworker Cheryl Jones, as well as some of the eleven workers affected by the PCB spill and others who had been most dissatisfied with the recent round of contract negotiations, responded by producing a leaflet of their own opposing the dues increase. Their leaflet stated, “Last year Union officers’ wages plus expenses were \$43,622. This year they were \$68,315. That’s a whopping 69 percent increase! Considering our lousy 3 percent pay raise, how can the Union ask us for more money?” The rank and file dissidents’ leaflets were quickly removed from the employee bulletin boards.² This wasn’t to be the worst of it, though.

On the afternoon of November three, 1989, Julie Wiles was distributing the anti-dues increase leaflets at the G-P Mill’s southernmost gate, while Cheryl Jones did likewise at another entrance. They were attempting to pass out the literature to their fellow workers as they exited the facility at the end of their shift. Wiles elected to place some of the leaflets on the windshields of her fellow workers’ parked vehicles while she waited for the morning shift to end. Such activity was routine for the conducting of union business and had been done many times in the past, without incident. This day, the results would be different, however. While in the process of distributing the fliers, Wiles observed a plant security guard removing those she had already placed. Wiles decided to confront the guard, and questioned his activities. The guard responded that he was only doing his job, and that the Fort Bragg police had been summoned, in case she had any additional questions.³

Julie Wiles was by no means a stereotypical rabble rouser. She was introverted and reclusive. She had chosen her particular job, having declined opportunities to bid for what most workers considered to be more desirable positions, because it afforded her a substantial degree of autonomy and personal privacy. However, though she was something of a loner, Wiles was also a staunch union member, and she knew what her rights were, or so she thought. When the police arrived, Wiles informed them that she was conducting union business, following established past practices, and provisions set forth by the National Labor Relations Act, which prevented company interference in internal union affairs.⁴ She also stated that she didn’t want to cause any trouble and offered to leave.⁵

According to Wiles, the police were initially “pleasant; even courteous,” and initially left her to her own devices. Soon after that, however G-P security chief Lee Gobel drove up, exited his vehicle, and demanded that the police arrest Wiles, “for trespassing and littering”, on the orders of plant manager Don Wittman. Wiles responded by demanding that Whitman come to the parking lot and state this himself in person, Gobel refused to convey the message. The police informed him that they had no

² “Damage Control”, by Mike Koepf, *Mendocino Commentary*, November 16, 1989.

³ Koepf, November 16, 1989, op. cit.

⁴ Koepf, November 16, 1989, op. cit.

⁵ Atkinson, et. al., op. cit.

grounds for arrest, agreeing with Wiles' interpretation of labor law. Unsatisfied, Gobel then demanded that the police make a *citizen's arrest*, which they did, claiming that they were obligated by law to do so. Wiles then was handcuffed, placed in the back of a police car, transported to the Fort Bragg police station, and locked in a holding cell.⁶ The response was hardly warranted, and city officials attempted to save face by denying that it had taken place. Fort Bragg City Manager, Gary Milliman, claimed that Wiles had not been arrested or placed in a holding cell, but instead had been cited for committing an infraction in violation of a city ordinance against littering. Police Chief Thomas E Bickell concurred with Milliman's framing of the events, but also stated that under California law, a peace officer was required to make an arrest, when confronted with a "citizen's arrest", or face the possibility of violating the law themselves. Bickell admitted, however, that he had never before heard of any instance of anyone actually being arrested—citizen's arrest or otherwise—for placing literature on the windshield of a parked car.⁷

The union treated the arrest as a nonissue and didn't even file a grievance against the company, however. Instead Nelson issued a *second* bulletin, officially signed by himself, distributed similarly to his first one, beginning, "Someone has been illegally and anonymously putting handbills on car windows in the parking lots and around the Mill opposing the dues increase."⁸ Mike Keopf again documented the IWA local's internal disputes in the local press, in this instance, in the *Mendocino Commentary*, which again drew an angry and defensive response from Don Nelson. Nelson claimed that he welcomed and encouraged rank and file dissent, that he had been unaware of Wiles' arrest when he had written the statement, and was convinced that the leaflets had been produced by an outside source, namely, Earth First!. He also claimed that the so-called 69 percent increase in the local officer's wages was compensation for lost work time spent negotiating the recent contract.⁹ Wiles and her fellow workers were disturbed by Nelson's conduct, nonetheless. Why had he not investigated matters before issuing the statement? The whole matter reeked of the company and the collaborationist leadership of the Union local colluding to quell a rank and file revolt.¹⁰

In any case, their efforts backfired, because on November 6, 7, 8 and 9 the membership voted 179 to 84, a whopping two-to-one margin, to oppose the dues increase. Although more than half of the 560 members abstained, it was clear that the proposed

⁶ Koepf, November 16, 1989, op. cit.

⁷ Koepf, November 16, 1989, op. cit.

⁸ Koepf, November 16, 1989, op. cit.

⁹ "Response from Don Nelson", letter to the editor by Don Nelson, *normal*">*Mendocino Commentary*, December 14, 1989.

¹⁰ Atkinson, et. al., op. cit.

increase was highly unpopular.¹¹ Wiles attributed these results to the membership's anger at the union and the company for "pushing (us) peasants too far."¹²

Don Nelson and IWA Local 3-469 Trustee Parke Singleton attempted to conduct damage control, even writing letters to and participating in interviews in the local press, calling the campaign to oppose the dues increase, "misinformation", in part because the leaders of it chose to remain anonymous. They claimed that the new contract they had secured, without the aid of a strike, was a victory—though they conceded this was primarily because the rest of the IWA Western Region, which represented timber workers throughout the Pacific Northwest—had given up even greater concessions.¹³ G-P millworkers in Oregon had not had a wage increase since 1986 and they had lost control of their pension plan in 1987, and workers at G-P's mill in Woodland, Maine had been working without a contract since 1988.¹⁴ Nelson, once again, insisted that the union had taken all of the action it legally could on the PCB spill.

Nelson further argued that Wiles' actions were not protected by the NLRA, because she was not engaged in organizing activity, and because of this, her rights were limited to posting her leaflets on the employee bulletin board, unless she were running for union office (which she wasn't). Distributing leaflets in the GP parking lot was supposedly only allowed by company consent, which hadn't been given. Nelson claimed that he had received this information after speaking with an unnamed source at the Department of Labor (DOL).¹⁵ However, NLRB lawyers, who are distinct from the DOL, are the official authority on matters of labor law, and they informed Wiles that her actions were indeed protected.¹⁶ Nelson reiterated that he believed that the workers were being "stirred up by outside agitators who (didn't) know what they (were) talking about," and that he was "seen by G-P as one of the most active and radical union representatives they have ever had to deal with (but that he didn't) publish his criticisms and dealings with G-P in the press."¹⁷ Apparently the latter was reserved for environmentalists and dissident workers, who questioned his alleged "radicalism". Since Nelson had allied himself with G-P in opposing *Forests Forever*, to serve as a voice of "the workers"

¹¹ "Interview with Don Nelson, Business Agent for IWA Local #3-469", by Roanne Withers, *Anderson Valley Advertiser*, December 6, 1989. That Withers conducted this interview at all is incredible, given her anger at Nelson for his actions over Harvest Market. Withers' questions, while fair, were anything if not challenging, and she, too, would offer her support for the dissidents and victims of the PCB spill.

¹² Koepf, November 16, 1989, op. cit.

¹³ "IWA Sets the Record Straight, letter to the editor, by Parke Singleton, various publications, including *Anderson Valley Advertiser*, November 29, 1989, *Mendocino Beacon*, November 30, 1989, *Mendocino Commentary*, November 30, 1989, and *Country Activist*, December, 1989.

¹⁴ "Georgia-Pacific Seizes Great Northern", by Jamie Sayen, *Earth First Journal*, Eostar / March 20, 1990.

¹⁵ Withers, op. cit.

¹⁶ Atkinson, et. al., op. cit.

¹⁷ Withers, op. cit.

against “environmental extremists”, it was essential that he quell any hint of actual worker dissent.

* * * * *

There *had* been a grain of truth in Nelson’s accusations. The leaflets *had* been produced with the help of an Earth First!er, namely Judi Bari. However, Bari hadn’t agitated the workers to revolt; instead, the workers, who had been working with Mike Koepf and Anna Marie Stenberg, had called upon Judi Bari’s assistance at the suggestion of Stenberg, who had not met Bari previously, but had seen her debating Don Nelson over L-P’s Mexico plans on community access cable TV. Stenberg contacted Bari and learned that not only was the latter an Earth First!er, but that she was an IWW organizer and veteran union activist as well. Stenberg was impressed with Bari’s knowledge and grasp of the issue, and was also pleased to discover that the latter had followed Koepf’s reporting on the PCB spill. The workers welcomed Bari’s involvement, and were not at all opposed to working with a known Earth First!er, tree sits or no, though they did have some concerns about tree spiking, which Bari was able to mitigate somewhat by her sensitivity to their plight.¹⁸

As a result, Bari was now assisting the mill workers on the issue of the PCB spill, as the company was appealing the ruling, and the IWA leadership was refusing to fight the company. The workers affected by the spill wanted to continue their fight, but OSHA had denied their request, arguing that they had to be represented by their union in order to do so. Bari, who was experienced at dealing with OSHA, informed the workers, Stenberg, and Koepf, that the law actually allowed the workers to be represented by *any* labor union, not just their official bargaining unit. Since it was highly unlikely any other AFL-CIO union local or international would have dared contradict IWA Local 3-469 for fear of being accused of a jurisdictional battle (which is technically prohibited under the AFL-CIO’s international bylaws), Bari suggested that they instead be represented by IWW Local #1.¹⁹

However, since no such local actually existed, despite the presence of IWW members in Mendocino County, Bari, Cherney, Stenberg, Koepf, (the latter two having joined at Bari’s urging) and several others quickly established one. Following the guidelines set forth by the IWW Constitution, which at the time required the signatures of a minimum of twenty dues paying IWW members in good standing in order to receive an IWW General Membership Branch Charter, Bari, Cherney, and Stenberg quickly gathered the needed signatures from among the IWW members in Humboldt and Mendocino County, and submitted their application to the IWW’s General Executive Board. Demonstrating that this IWW branch to be wasn’t merely a paper tiger created

¹⁸ Interview with Anna Marie Stenberg, held October 18, 2009.

¹⁹ “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, 255-56.

for political expediency, one of the charter members was Treva VandenBosch. Another was Pete Kayes. The IWW quickly granted the new branch its charter.²⁰

The branch was officially the Humboldt County and Mendocino County General Membership Branch—though it was usually referred to as “Earth First! – IWW Local #1”, following the course which had only one year previously seemed to be a distant utopian dream. The timing of the branch’s formation was fortuitous, because it came as the second issue of *Timberlyn*’ was being distributed among the workers at P-L, and some workers at L-P—while not willing to openly declare themselves—were secretly feeding information to Bari, et. al. The G-P workers’ concerns fed into this momentum nicely. Uniting these independent workers’ struggles into a single, organized struggle was precisely the core element in Bari’s overall strategy to counter Corporate Timber. With that in mind, the new IWW branch made it a priority to take up both the defense of Julie Wiles and the fight against G-P’s OSHA fines being dismissed.²¹

G-P millworkers affected by the PCB spill, including Ron Atkinson, Joe Valdao, and Treva Vandenbosch, as well as Cheryl Jones and Julie Wiles wrote a press statement responding to Nelson’s and Singleton’s accusations²², with Judi Bari’s assistance, who helped the workers craft their various points into a single unified document.²³ The workers challenged Nelson and Singleton on the PCB spill, stating at one point:

Throughout this traumatic incident, Don Nelson never once talked sympathetically to the workers who were poisoned. In fact, he accused them of ‘making a mountain out of a molehill.’ He publicly defended the company, saying they had been ‘completely above-board’ and he testified in the company’s behalf at the OSHA hearing. He said on KMFB radio that PCB’s are not proven harmful, and published a statement diminishing the incident, saying that ‘there were no known serious injuries because of this spill.’ Yet, six months later (Murray) still had a bodily PCB level of 386 parts per million, when the EPA standard is 0.26 parts per billion.”²⁴

²⁰ “Minutes of the Inaugural Meeting of IWW Local #1”, recorded by Judi Bari, November 19, 1989. Judi Bari also designed the leaflets for the meeting, which were drawn in her steady and graceful longhand, including the text. The meeting took place at Anna Marie Stenberg’s house in Fort Bragg. In 1995, the minimum threshold for establishing an IWW branch has since been reduced to ten members in good standing. Additional charter members of note included Betty and Gary Ball, Alan Graham—better known as “Captain Fathom” who had carried the IWW torch in the county for over three decades at the time of Local #1’s establishment, Herb Jager, a somewhat famous beatnik with a long history in the San Francisco counterculture scene who lived in Sonoma County at the time, and Kay Rudin, a local activist, graphic artist, and videographer. Roanne Withers did not sign the charter, but also became a member of the local.

²¹ Minutes of the Inaugural Meeting of IWW Local #1, recorded by Judi Bari, November 19, 1989.

²² Minutes of the Inaugural Meeting of IWW Local #1, recorded by Judi Bari, November 19, 1989.

²³ Letter to Jess Grant, by Judi Bari, unpublished, San Francisco Bay Area IWW General Membership Branch archives, date unknown, but likely December 1989 based on the context.

²⁴ Atkinson, et. al., op. cit.

The workers reinforced the notion that the strike vote was due to dissatisfaction with the 1985 contract, on purely immediate economic concerns, certainly, but also on broader working class and ecological issues. Specifically, the workers denounced the violation of union principles brought about by the profit bonuses, not just because they didn't bring about the promised results, *but because of their effect on the workers' solidarity and the environment*. They also expressed their complete disgust that the current contract eliminated all in house loggers, replacing them completely with gyppos once and for all, and tied this with L-P's moving their mills to Mexico.²⁵

The workers defended their vote against the dues increase, stating that it was, indeed, a vote of no confidence in Don Nelson's leadership (or lack thereof), and suggested that much of what he did was unnecessary anyway:

"The duties of our paid union rep are clearly spelled out in our constitution. They involve keeping the finances straight and enforcing the contract. They do not include running for County Supervisor or sitting on County committees. Nelson has published a list of eleven functions he claims he fulfills. Of these, only two (Contract and Grievances) are necessary. The rest, including Unemployment Appeals, Cal OSHA, Political Contacts and Political action are either duplications of services that are offered free by the agency involved, or they are part of Nelson's Democratic Party political agenda."²⁶

The workers clearly did not wish to be subsidizing Nelson's political ambitions on the local union's \$145,000 annual dues revenue. Further, they noted that Nelson was, in essence, double dipping anyway:

"(Nelson's) staff, by the way, consists of two full-time employees—Don Nelson and his wife Rosmarie. So we rejected the dues increase and now in spite of our mandate, he's refusing to cut his hours. Instead the union has decided to withhold the portion of our dues money that we're supposed to pay to the National Union. This is a dangerous move, since it can lead to the National Union placing our Local in trusteeship. A trusteeship would not only mean that the National Union would control our money, but they would suspend all our democratic rights, including the right to elect officers and vote on union business, for 18 months. In order to keep his full-time position, Don Nelson is willing to sacrifice this. Of course, he has good reason to fear union democracy. He is unlikely to win again."²⁷

²⁵ Atkinson, et. al., op. cit. The dissident workers had distributed a poster at one point which had started with the bold headline, "ATTENTION MILL WORKERS: YOU HAVE BEEN ECONOMICALLY KIDNAPPED!"

²⁶ Atkinson, et. al., op. cit.

²⁷ Atkinson, et. al., op. cit.

The workers also declared, that contrary to the pessimistic opinions of Crawdad Nelson (whom the workers named) and Rob Anderson (whom they did not), they were also deeply committed to ecological issues as well as economic ones:

“We are not stupid, and we can see as well as anyone else what the timber companies are doing to the trees. It’s our environment as much as yours and we go to the forest to camp, fish, hunt, and find solitude. Some of our families have lived here for five generations, and we know that our children will not be able to enjoy the forests as we have if they continue to be cut the way they are now.

“In fact, our concern for the health of the forest is not less, but greater than that of the general community, because the loss of the forest will also mean the loss of our livelihoods. This is one of the reasons it is so important for us to regain control of our union. We don’t have many years left if things keep going the way they are now. Our only hope for continued employment is sustained yield logging. And we will need strong union if we hope to slow the company down enough so that we can have both jobs and forests in the future.”²⁸

The dissident workers concluded with a strong rebuttal to Nelson’s claim that they were under the influence of “outside agitators”, explaining that their reason to seek support from the likes of Stenberg, Koepf, and Bari; Earth First! and the IWW, was out of necessity, due to lack of support from the IWA local’s leadership. They finished by explaining that if some of them didn’t sign their names, it was out of fear that they would become nonpersons, as had Vandebosch, and that the union wouldn’t defend them. As if to vindicate the dissidents, on December 12, 1989, Judge Robert Heeb of the Ten Mile Justice Court in Ukiah dismissed the case against Julie Wiles.²⁹

Don Nelson attempted to save face by claiming that he had not been informed of the PCB spill, stating that the information had been lost somewhere in the complex chain of command the local had devised under his leadership. He also declared that he had, “Immediately called G-P management and reminded them that they must treat any spill as a hazardous spill until they conclusively knew it was not; that they must contain it and isolate the area of the spill. After some argument they did,” and went on to argue that he had “never defended G-P.”³⁰ However, Nelson did not even once challenge G-P’s appeal of the PCB spill.³¹ Nelson also defended his lack of action on

²⁸ Atkinson, et. al., op. cit.

²⁹ Atkinson, et. al., op. cit.

³⁰ “Response to ‘Rank and File’, by Don Nelson, *Anderson Valley Advertiser*, December 27, 1989 and *normal*”>*Mendocino Commentary*, January 11, 1989.

³¹ “IWW Defends Mill Workers”, by Judi Bari and Darryl Cherney, *normal*”>*Industrial Worker*, March 1990.

the contracting out of the logging crews, arguing that unions couldn't legally challenge companies from outsourcing.³²

Nelson also admitted that the wage enhancement did indeed, tie workers interests to those of the company, but in the same instance he defended it, not by citing any realized concrete gains, but by offering another optimistic prediction that it would finally start to pay off over the life of the current, four-year contract, "As long as environmentalists didn't curtail the supply of wood to the mills."³³ Nelson's insistence that IWA international president Bill Hubble had originally supported the "wage enhancement" proposal in 1985 didn't hold any water, because the latter had seen the light and now was opposed to similar proposals.³⁴

Nelson's commitment to union democracy was no better, and in January he reintroduced the dues increase proposal. The workers opposed to the dues increase responded by producing yet another leaflet with the headline, "how many times do we have to say no?" Nelson responded with his own leaflet which included a statement at the end that actually read, "A vote against the dues increase is a vote for the IWW," as if this would somehow scare the workers into voting against their own interests.³⁵ IWW Local #1 responded with its own leaflet titled, "What is the IWW: and What are We Doing in Fort Bragg?" The leaflet assured the workers that the Wobblies didn't wish to raid the IWA shop or undermine the workers contract—weak as it was—with G-P, because a bad contract was better than none at all. It also suggested that the workers vote their conscience on the proposed dues increase, as the IWW wasn't in the business of interfering in other union's internal affairs, unless the workers desired it, and in the current context, the matter was one initiated by the rank and file before the IWW had gotten involved.³⁶ The rank and file workers once again refused the dues increase by a vote of 60-55 in mid February, even though Bill Hubble, himself, had journeyed to Fort Bragg to lobby for it.³⁷

Adding insult to injury, IWA Local #3-469 cut a deal with G-P that same month, without even consulting the eleven workers affected by the PCB spill, agreeing to reduce the fine from \$14,000 to \$3,000.³⁸ OSHA dropped the "willful" injury to a worker charge down to "serious", agreeing with the company's argument that there were still enough "experts" claiming that the chemicals weren't toxic, in spite of numerous studies

³² Don Nelson, December 27, op. cit.

³³ Withers, op. cit.

³⁴ Atkinson, et. al., op. cit.

³⁵ Bari and Cherney, March 1990, op. cit..

³⁶ "What is the IWW: and What are We Doing in Fort Bragg?" leaflet by IWW Local #1, January 1989. The leaflet was written by the branch, though clearly Judi Bari did design it, as the headlines are written in her longhand.

³⁷ "Here and There in Mendocino County", by Bruce Anderson, *normal*>Anderson Valley Advertiser, February 21, 1990.

³⁸ Bari and Cherney, March 1990, op. cit.

showing otherwise.³⁹ Five of the workers hit by the spill, Ron Atkinson, Frank Murray, Craig Ogram, LeRoy Pearl, and Treva Vandenbosch responded that in the fall they had sent a letter to Local 3-469 stating that they didn't authorize the union to represent them in the case against OSHA (Docket Number 89-2713).⁴⁰ They then sent a letter to Sidney Goldstein, the judge presiding over the case, demanding that he not agree to the settlement.⁴¹

The judge had informed them that they needed to be represented by an official labor representative, so they sent a second letter to the OSHA, the appeals judge, and IWA Local 3-469 stating that they chose IWW Local #1 (specifically Judi Bari and Anna Marie Stenberg) to be their official representative.⁴² Treva Vandenbosch organized community support for the case by circulating a pre written letter to the judge, encouraging interested supporters to contact the latter in support of the dissident workers and to show up at the hearing scheduled for February 1, 1990.⁴³ Judge Goldstein acquiesced, and held off signing the agreement until the workers could make a written point-by-point appeal, for which he granted them two weeks time.⁴⁴

Judi Bari covered that task, and wrote an extensive rebuttal to G-P's claims.⁴⁵ G-P's counsel in the OSHA case, Claudia Brisson, wrote an appeal to the Judge, dated February 22, 1990, arguing that labor law clearly stated that since Local 3-469 was the workers' official representative, the IWW was not legally able to represent the dissident members. Regrettably, the Judge agreed with this interpretation, even though Judi Bari tried, unsuccessfully, to argue that Nelson's interpretation of the law was incorrect, arguing that it mandated that workers before OSHA hearings be represented by *normal*>a labor union, not any *specific* labor union, and that the dissidents had clearly chosen the IWW.⁴⁶

It was clear, to the workers, that G-P's real motivation in challenging the IWW's representation on behalf of IWA Local 3-469 was purely selfish. Bari's letter to the judge explained why:

³⁹ "Hot Tubbin at Harry's: Anna Marie Stenberg", interview by Lynne Dahl, *normal*>*New Settler Interview*, issue #54, December 1990.

⁴⁰ Bari and Cherney, March 1990, op. cit., and Letter to IWA Local 3-469, by Ron Atkinson, et. al., August 24, 1989, unpublished. A copy of the latter is on file at the Willits Museum.

⁴¹ Letter to Judge Sidney Goldstein, by Ron Atkinson, et. al., January 1990, unpublished. A copy of the latter is on file at the Willits Museum.

⁴² Bari and Cherney, March 1990, op. cit., and Letter to Judge Sidney Goldstein, January 24, 1990, op. cit.

⁴³ "OSHA Vs. G-P: PCB Spill Hearing", letter to the editor, by Treva Vandenbosch, *Anderson Valley Advertiser*, December 13, 1989 and *Mendocino Commentary*, December 14, 1989.

⁴⁴ Bari and Cherney, March 1990, op. cit.

⁴⁵ Letter to Judge Sidney Goldstein, by Judi Bari, February 14, 1990, unpublished. This letter is on file in the Willits Museum.

⁴⁶ Letter to Judge Sidney Goldstein, by Judi Bari, March 16, 1990, unpublished. This letter is on file in the Willits Museum.

“Since the time when this settlement was reached, G-P has continued to violate their employees right to a safe work environment, apparently confident that they will receive nothing more than a slap on the wrist from OSHA. On Dec. 20, 1989, they were cited by CalOSHA for failing to provide safe lockout procedures for the computerized green chain. They made changes in response to this citation, but the changes were not enough to protect the safety of workers on this machine. On 3/16/90 G-P was cited once again for three more violations on the same machine, including a serious violation for not reporting an accident in which an employee had three fingers severed. On 2/24/90, yet another complaint was filed on the same machine, this time citing ten safety violations. This complaint was investigated on 3/12/90, and a final settlement has not yet been reached.

“This latest OSHA complaint, listing the ten violations, was only filed because Anna Marie Stenberg was willing to sign it for the workers so that they did not have to use their own names. Because of consistent harassment of employees who file complaints, the workers are afraid to step forward even though they are concerned about the unsafe equipment. And, since G-P will not allow Anna Marie to enter the mill and inspect the machinery, it is difficult to resolve this complaint until the workers can have some real assurance that they will not suffer reprisals if they identify themselves.

“G-P’s harassment of workers who attempt to use the OSHA process has recently resulted in Fed OSHA investigator Chuck Byers being sent to Ft. Bragg to investigate this intimidation. He has been looking into the harassment of at least four different workers in OSHA complaints that took place after the settlement agreement.

“What all this shows is that G-P has continued unsloved in its pattern of violating OSHA rules concerning both safety and harassment. We believe that the leniency of the settlement G-P negotiated with OSHA in the PCB case and their ability to escape the scrutiny of a hearing has encouraged their arrogant attitude towards the workers’ safety.”

Clearly, the company didn’t want the IWW—a potentially effective challenge to their power—replacing a supine union that they could use as cover.⁴⁷

The dissidents’ and IWW’s efforts were not wasted, however. For one thing, they had exposed the IWA and Don Nelson as collaborationists and undermined the latter’s ability to provide cover for corporate timber as he was ever more willing to do as resistance to unquestioned corporate logging practices steadily increased. The victims may have been isolated in the mill, and Murray and Vandenbosch had to retire for their health, but in the community, they were now considered heroes. The Mendocino Grey

⁴⁷ Ibid.

Panthers honored them at their annual dinner on January 27, 1990.⁴⁸ The workers in turn recognized the work of Mike Koepf, Anna Marie Stenberg, and Judi Bari of the IWW in assisting them.⁴⁹ In May of 1990, the EPA fined G-P \$20,250 for violations of the Toxic Substances Control Act.⁵⁰ In late October, Anna Marie Stenberg received the files of the Cal OSHA and Federal OSHA investigations of the PCB spill, and they confirmed that the company had indeed tried to cover up the event.⁵¹ Eventually OSHA did fine G-P \$114,000 for willful violation of the workers' safety, which was the highest possible fine they could have received.⁵² The IWW agreed to offer the IWA millworkers, free of charge, any services that the IWA local cut as a result of losing the vote on the proposed dues increase.⁵³

Once again, the supposedly "bumpkin proletariat" had defied the preconceived notions of Dave Foreman, Crowdad Nelson, and Rob Anderson. And, once again, the so-called "unwashed-out-of-town-jobless-hippies-on-drugs" had contradicted the reactionary rhetoric of TEAM and WECARE. Workers and environmentalists were working together on common issues.

⁴⁸ "Panthers Honor Whistleblowers", Earth News, *Mendocino Commentary*, February 8, 1990.

⁴⁹ "Here and There in Mendocino County", by Bruce Anderson, *Anderson Valley Advertiser*, February 7, 1990.

⁵⁰ "Here and There in Mendocino County", by Bruce Anderson, *Anderson Valley Advertiser*, May 2, 1990.

⁵¹ "Here and There in Mendocino County", by Bruce Anderson, *Anderson Valley Advertiser*, October 10, 1990.

⁵² Bevington, op. cit., 255-56.

⁵³ Minutes of the Inaugural Meeting of IWW Local #1, recorded by Judi Bari, November 19, 1989.

27. Murdered by Capitalism

“They intimidate the workers by fear and that’s why they have him there. Everybody around here is so afraid that if something gets crossed up...lumber gets crossed up...they will try to fix it without stopping the machine for fear of being yelled at by the foreman if they do not stop the machine. It’s a constant environment of fear, totally.”

—Randy Veach, L-P Millworker, interviewed by Judi Bari, August 1992¹

“Management doesn’t care about our feelings—it’s insignificant to them. OK? Basically we’re nothing but a paid robot. And we’ve been told...our jobs are graders...both of us we’ve been told graders are a dime a dozen.”

—Don Beavers, L-P Millworker, interviewed by Judi Bari, August 1992²

Earth First! – IWW Local #1 knew about the state of affairs in G-P’s and P-L’s mills, thanks to the efforts of its members, but what were conditions like at L-P? Local 1 had tried, unsuccessfully, to try and get one of their members, Allen Anger—who had relocated from Washington, hired at an L-P mill in order to try and organize the mill from within.³ Without a willing organizer in the plants, IWW Local #1 had to settle for using information supplied by underground dissidents within the mill to provide a picture of what took place on the inside. Luckily, thanks to the coalition being forged in opposition to L-P’s outsourcing, at least two, Don Beavers (a grader who had once worked in the Potter Valley Mill before it closed) and Randy Veach, were able to reveal that if safety and working conditions were bad enough in the nominally union Georgia-Pacific mill in Fort Bragg, they were substantially *worse* in Louisiana-Pacific’s nonunion mills. Yet, the L-P workers were least likely to openly declare their opposition to such repression. As Judi Bari explained in 1991, it wasn’t difficult to understand why:

“How does a company as cold and crass as (L-P) keep their workforce so obedient? A look behind the barbed wire fence that surrounds their Ukiah mill might yield some clues.

¹ “Judi Bari interviews Louisiana Pacific Mill Workers”, Transcript of a KZYX FM radio interview; Reprinted in the *Industrial Worker*, August 1992.

² Bari, August 1992, op. cit.

³ “Minutes of the February 1990 IWW Local #1 General Membership Branch meeting”, recorded by Judi Bari, February 4, 1990.

“It’s their little world, and when you step through the gate you do what they say or you don’t stay in their little world,’ says one millworker. The work rules are designed to turn you into an automaton. There’s a two-minute warning whistle, then the start-up whistle. You have to be at your work station ready to go when the start-up whistle blows, or you can be written up for lateness (three white slips in a year for the same offense and you’re fired). You stay at your work station doing the same repetitive job over and over for two and a half hours (two hours in the planing mill and a half hour in the sawmill) until the break whistle blows. Then you get a ten-minute break, except that it takes you two minutes to walk to the break room and two minutes to walk back, so you only get to sit down for six minutes. And don’t get too comfortable, because there’s a two-minute warning whistle before the end of break time, then you have to get back to your station ready to go when the start-up whistle blows again. If you ever wondered what they were training you for with all those bells in public school, here’s the answer—life at L-P.

“In the Land of the Free, democracy stops at the plant gates. The Bill of Rights is supposed to protect against unreasonable or warrantless searches. But not at L-P. Their drug policy reads like the Gestapo: ‘entry onto company property will be deemed as consent to inspection of person, vehicle, lockers or other personal effects at any time at the discretion of management. Employee refusal to cooperate in alcohol and other drug testing, or searches of other personal belongings and lockers are subject to termination [sic].’ And, before you even get hired you have to submit to a urine test and sign a consent form to let them test your urine any time ‘for cause,’ again at the discretion of management.”⁴

Such rules were obviously designed to maximize production and quell dissent, particularly about the lax safety standards, which—had they been stronger—would have threatened Harry Merlo’s “log-to-infinity” profit-oriented forestry.

“Loss of life or limb is a constant danger at L-P, but it doesn’t happen every day. What does happen every day is the mind numbing tedium of the job, and L-P’s constant rush for production. Take the job of lumber grader. Rough cut lumber, 2x12 and up to 20 feet long, comes up on the chain, and the grader has to scan it, turn it over, decide the best way to trim it for length and split it for width, and put the grade marks and trim marks on the board. You have two to three seconds to perform all these tasks, while the chain keeps moving and the next board comes up. All night long.

⁴ “Notes from Hell, Working at the L-P Mill”, by Judi Bari, *Anderson Valley Advertiser*, April 17, 1991.

Back injuries, tendonitis, and shoulder strains, common among graders and other millworkers, are caused by turning over the heavy lumber. But the company just wants its production quotas. 'We broke a production record in our section,' said one of my sources. 'We used to get pizzas and beer for that, but this time they just got us one of those six-foot submarine sandwiches. We probably made them \$200,000 in L-P's pocket that night and they gave us a sandwich.'

"...In such a petty, dictatorial atmosphere, some petty dictators are bound to arise. And there is none better known at L-P than Dean Remstedt, swing shift foreman in the planing mill. Remstedt runs his shift with threats and favoritism and is known as a racist. A few years ago he passed out a flyer making racist jokes about Jesse Jackson. It offended some of the millworkers so much they took it to the *Ukiah Daily Journal* (anonymously of course). Remstedt denied that there was a problem. 'It was something laying in the break room that we was laughing about,' Remstedt told the *Journal*. But Hispanic workers, who make up about one-third of the shift, were not laughing. 'To me, when I got that, that was from the company,' One of them told the *Journal* reporter. And of course, L-P's upper management did nothing to change that impression.⁵

This wasn't just a case of a petty dictator throwing his weight around however. Evidently such behavior was rampant throughout L-P. For instance, in April 1989, African-American sawblade filer Cigam Nam X sued L-P for five years of racial discrimination he experienced while working at the Samoa mill. In his complaint, he stated that he was routinely called "nigger" and even subjected to images of lynched blacks with the slogan "KKK all the way!" at his workstation. His supervisor dismissed his concerns by telling him that KKK was "just letters of the alphabet." He was also demoted from his job and told that the company "would make it hard on him" if he complained.⁶ Remstedt was the rule rather than the exception, and he did not especially set a good example either:

"Millworkers say Remstedt is 'a fanatic about production' and that he 'intimidates people into taking chances [with safety] for fear of being disciplined or of losing their job.' He sets the example with his own reckless behavior, which has led to him having several on-the-job accidents himself. He once climbed onto an automatic lumber stacking machine that was not properly turned off, and he was knocked to the ground when the auto-cycle started up and the lumber moved forward, sending him to the hospital with minor injuries. Another time he stood on the forks of the forklift raised to a

⁵ Bari, April 17, 1991, op. cit.

⁶ "Racism Alleged at Mill", *EcoNews*, April 1989.

high position so he could reach something overhead. He fell off and knocked himself out cold. They wrote up the forklift driver for that one, but they never write up Remstedt, even though the injuries to others on his shift have been a lot more serious than his own, including a woman who lost her leg walking between roller cases on a machine that bands lumber.”⁷

Randy Veach and Don Beavers elaborated further a year later when they finally openly criticized the company. According to Veach,

“...A board got crossed up on what’s called the landing table that comes out of the planer. We had to stop the landing table chains to get this cross up fixed. Well, one of the workers was trying to do it, the chains were turned off and he was trying not to get up on the landing table, he was trying to do it from his work station so he wouldn’t have to lock everything out...because he was safe from where he was. (Remstedt) came along and started yelling at that particular employee. He told him, ‘We don’t have all night to run this stuff.’ And that intimidated that employee to jump up there and fix it immediately. And that’s what happened. The employee jumped up on the landing table. Nothing was shut down.”⁸

Under such conditions it was inevitable that someone would eventually be killed, and sure enough, that is exactly what happened.

The victim was 33 year-old Ukiah millworker R. Fortunado “Forty” Reyes, who died on the night of September 14, 1989.⁹ It was sickly ironic that the tragedy occurred on the very day that L-P admitted that they were outsourcing their milling operations to Mexico.¹⁰ Reyes, a family man, had worked at L-P’s Ukiah facility since that March after being transferred there following the closure of the Potter Valley mill. Forty had been one of the unlucky group of workers with the misfortune of being under Remstedt’s supervision. On the night in question, Remstedt wasn’t present, but Reyes worked as if he were, having been severely traumatized by the petty dictatorial supervisor the previous week. According to Bari:

“A few days earlier Remstedt had ridiculed Fortunado in front of his co-workers for pushing the emergency stop too much and slowing down production. ‘He called Forty a sissy, and that’s not all,’ say his friends.

⁷ Bari, April 17, 1991, op. cit.

⁸ Bari, August 1992, op. cit.

⁹ “Worker Killed at Ukiah’s L-P Mill”, by Keith Michaud, *Ukiah Daily Journal*, September 15, 1989 and “Louisiana-Pacific Millworker Dies in Accident on the Job”, staff report, *Willits News*, September 20, 1989.

¹⁰ “LP Plans Mexico Expansion”, by Richard Johnson, *Mendocino Country Environmentalist*, September 15, 1989.

“No one knows exactly how he died because no one saw or heard it. But apparently Fortunado was straightening lumber on a tray when he was caught unawares by another moving tray of boards, and was crushed between the lumber and the machine’s steel beams. Co-workers found him lying on the cat-walk. ‘We looked up and Forty was lying on the catwalk, like he was listening in. I said *Hey, what are you doing?* but he didn’t answer. We poked him and he didn’t move, and we knew something was really wrong. When we turned him over you could see the indentations from the lumber in his chest.’ Some of the millworkers, and later the ambulance crew, tried to revive Fortunado with CPR, but it was too late. ‘By the time the ambulance took him away he was already starting to bloat up,’ eyewitnesses said.”¹¹

Louisiana-Pacific was less than forthright about the nature of Reyes’s death. When Sheriff’s Lieutenant James Tusso found the millworker, he declared that Reyes “*May have failed to push the emergency stop button before trying to free (the) jammed equipment,*” never once considering the possibility that the deceased had been *ordered* not to push it. No doubt that had much to do with the fact that Shep Tucker hinted that the millworker was responsible for his own death. Both Tusso and Tucker suggested that Reyes might have “become complacent and careless.” The only other statement Tucker issued was, “What can you say...it’s a tragedy.”¹² Evidently, however, it wasn’t significant enough to halt production pending an investigation, no doubt because an investigation would have revealed that Reyes had died due to company pressure.

L-P assumed no responsibility for the mill worker’s death either. Although State Farm Insurance was L-P’s largest stockholder at the time of Reyes’ death, the company provided no health insurance for its non-management employees. The company paid Maria Reyes, Fortunado’s widowed wife, a paltry sum of \$2,000 for burial expenses, as was company policy.¹³ Reyes’s fellow workers were appalled and filed their own OSHA complaint, despite lacking a formal union to represent them. Because of this and fearing for their jobs as a result, they asked Judi Bari to speak on their behalf (which she did as a representative of IWW Local #1).¹⁴ L-P was fined for two safety violations, including violation of the emergency stop rules and “fined the pitiful amount of \$1,200 for taking a man’s life.” Remstedt was ordered to give a talk on safety and the procedures for using the emergency stop, but a week later, he was back to his old habits.¹⁵ The company appealed and got the fines reduced to \$600¹⁶, but, amazingly

¹¹ Bari, April 17, 1991, op. cit.

¹² Michaud, September 15, 1990, op. cit.

¹³ “Opinion”, by Don Lipmanson, *Mendocino Commentary*, October 5, 1989.

¹⁴ “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, 256.

¹⁵ Bari, April 17, 1991, op. cit.

¹⁶ Bevington, op. cit., 256.

enough, Mendocino County District Attorney, Susan Massini—usually quick to dismiss any charges against corporate timber interests and prosecute environmentalists to the fullest possible extent of the law—prosecuted Louisiana-Pacific for the industrial murder of Fortunado Reyes.¹⁷ As a result, L-P was fined a total of \$5,000, the maximum amount allowed by law at the time.¹⁸

Rather than learn from this experience, L-P management, all the way up to Harry Merlo remained set in their ways. In late January 1990, Willits L-P mill worker Ken Snearly had his legs injured when a load of boards slid off of the forklift.¹⁹ A few days later, yet another mill worker, Gabriel Guerra, underwent surgery after getting his foot caught in the mill machinery.²⁰ A few days after the filing of the charges for the death of Reyes, Merlo wrote a memo to the Ukiah millworkers blaming “inflammatory claims made by a few groups of rabid preservationists” for the “negative atmosphere” leading to the criminal charges.²¹ Merlo had stopped just short of suggesting that unwashed-out-of-town-jobless-hippies-on-drugs had come into the mill *themselves* and killed Reyes.

By contrast, Judi Bari accused both Merlo and Remstedt of “murder”, and certainly, many of the L-P workers agreed, even if they were afraid to openly state it.²² The *Ukiah Daily Journal*, rather than condemn L-P for profit driven “terrorism” again expressed utter silence over the matter within its editorial pages. On the other hand, Earth First! in Humboldt and Mendocino County repeatedly made it a point to remind everyone—especially when *they* were accused of being terrorists, that it was *L-P* (and *P-L*) who had terrorized the workers, quite literally to death. The yellow-ribbon adorned self-described “representatives” of the timber workers on the other hand, namely Mothers’ Watch, TEAM, and WECARE—and, to no small extent now, Don Nelson—were too busy blaming “unwashed-out-of-town-jobless-hippies-on-drugs” to notice that Earth First!ers and IWW members were actually defending the very workers the former claimed to represent.

¹⁷ “DA Will Scrutinize L-P Mill Fatality”, by Mike Geniella, *Santa Rosa Press Democrat*, August 14, 1990; “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, September 5, 1990; “L-P Faces Criminal Charges in Worker’s Death”, by Lois O’Rourke, *Ukiah Daily Journal*, September 14, 1990; “Criminal Charges Filed Against L-P” *Willits News*, September 14, 1990; “L-P Charged in ‘89 Death of Worker”, by Mike Geniella, *Santa Rosa Press Democrat*, September 15, 1990; and “L-P on Criminal Charges”, *EcoNews*, October 1990.

¹⁸ Bevington, op. cit., 256.

¹⁹ “Willits Millworker Injured at L-P”, staff report, *Willits News*, January 31, 1990.

²⁰ “A Second Worker Injured at L-P Mill”, by Maureen Conner-Rice, *Ukiah Daily Journal*, February 2, 1990, and “Another L-P Mill Worker Injured”, staff report, *Willits News*, February 7, 1990.

²¹ Bari, April 17, 1991, op. cit.

²² Bevington, op. cit., 256.

28. Letting the Cat Out of the Bag

At their first meeting, the members of IWW Local #1 had agreed upon a policy that they would not consent to interviews in the press because—while Earth First!ers could be open about their militant radicalism, since they didn't have a direct economic relationship with the big timber companies or the gyppos—the workers, on the other hand, risked the loss of their job, or even their standing in the community if they spoke out. The G-P mill workers hit by the PCB spill were the exception, of course, because by the time they had turned to IWW Local #1, they had already had their standing taken away from them, and some—such as Treva Vandenbosch and Frank Murray—had been forced to quit. On the other hand, the P-L dissidents—such as Kelly Bettiga, Pete Kayes, Les Reynolds, and Bob Younger were already under intense scrutiny for the ESOP campaign and their unsuccessful appeals to the NLRB—and the L-P workers feeding information to Bari—including Don Beavers and Randy Veach, all could be fired in a heartbeat if they were linked to the “unwashed-out-of-town-jobless-hippies-on-drugs.”¹

After the FBI sting operation that entrapped five of their comrades in Arizona, North Coast Earth First!ers were understandably wary of their dealings with the press, with good reason. With the region increasingly resembling a pressure cooker on over-drive due to the Corporate Timber reaction to Earth First!'s direct actions, EPIC's lawsuits, the potential listing of the spotted owl as endangered, L-P's outsourcing, and several ballot initiatives, the bosses were more likely than ever to ramp up their propaganda mill. The added pressures of underground IWW union organizing activity required especially tight security from the activists. Sometimes even the left-liberal press, small and limited though its circulation tended to be, could cause more harm than good. Judi Bari was especially aware of this fact.

Even if a press interview was sympathetic to the efforts of IWW Local 1 and the workers' privacy respected, there was a sense that reporters might sensationalize the matter. In December of 1989, freelance reporter Julie Gilden, whose articles often ran in publications such as *The Village Voice* approached Judi Bari about conducting just such an interview with her and timber-worker members of IWW Local #1. Bari informed Gilden of the branch's aforementioned policy, and the latter claimed to agree to respect the IWW members' wishes, but wanted to ask Bari some background ques-

¹ “Minutes of the Inaugural Meeting of IWW Local #1”, recorded by Judi Bari, November 19, 1989.

tions on the IWW's history and the local culture of Humboldt and Mendocino County. Bari consented, assuming that Gilden was completely forthright. She wasn't.²

In less than a month, Gilden had submitted an article to *The Village Voice* and *In These Times* featuring quotations from Judi Bari, Pete Kayes, and IWW General Secretary-Treasurer, Jeff Ditz (who served in that capacity for 1990 after being elected by the membership the previous year), strung together as if they had been given in an actual interview.³

The article came across as factual and sympathetic to the IWW well enough, stating matter-of-factly, that IWW Local #1 had been formed with 26 members initially. It gave a summary of the IWW's then current membership and its age demographics, which showed that a great many younger members had joined the IWW in recent years. It quoted labor folklorist Archie Green, who had written extensively about IWW culture. It also quoted Pete Kayes, who said of the mainstream labor unions, in comparison to the IWW:

(they are) more management tools to control employees than attempts by employees to control their own destinies. Once people figure out what we're really about, maybe they won't feel so stuck. The way it is now, people are so intimidated by management, they can't differentiate Wobblies from Girl Scouts. But sooner or later the management will do something bad enough to force action."⁴

This was reasonable enough, as were the following statements from Judi Bari:

(We're) all trying to keep the timber companies from liquidating their assets and selling out. It's desperate here. We're near the end. Tree sitters and millworkers will all be left without forests or jobs if we don't do something to stop them...(loggers) often are more attuned to environmental issues than anyone else—after all, it's their lifestyle, their homes, their work."⁵

However Gilden also inserted wrap around comments that were not quotations by Bari that still implied that she meant for the information conveyed in them to represent her thoughts⁶, such as comments about some of the Earth First!ers "being the original back-to-the-landers whose marijuana farms have been stoking the local economy since then." Gilden also quoted Jeff Ditz as saying, "I didn't come here to run

² Letter to the editor, by Judi Bari, *Industrial Worker*, February 1990.

³ "Minutes of the February 1990 IWW Local #1 General Membership Branch meeting", recorded by Judi Bari, February 4, 1990.

⁴ "Earth First! Brings Wobblies Back into the Woods", by Julia Gilden, *In These Times*, January 17, 1990.

⁵ Gilden, op. cit.

⁶ Bari, February 1990, op. cit.

a museum...this is the new IWW for the 1990s.”⁷ The problem with Gilden’s framing of Ditz’s statements is that it suggested that the IWW had, hitherto the dialog between itself and Earth First! begun in May of 1988, historically irrelevant, which was both inaccurate and unfair to the many IWW members who had kept its flame burning in the face of unfavorable historical conditions. It was felt by Bari, that Gilden’s presentation of the information, which she wasn’t supposed to have made public in the first place, could only serve to discredit the work IWW Local 1 was attempting.⁸ Gilden’s sensationalizing of an obscure and largely insignificant attempt by neo-Nazi Tom Metzger to overtly infiltrate an Earth First! chapter in Southern California and the burning of American flags displayed at a recent Earth First! gathering by some discontented Earth First!ers with more internationalist leanings—events which did not accurately describe the overall cohesion of the loose, but mostly united radical environmental movement—didn’t help matters much.⁹

Bari hoped that the damage from the article would be minimal, and she noted that few timber workers read either *In These Times* or *The Village Voice*, but she urged all IWW members to shun any future contact with Julia Gilden.¹⁰ Local 1 decided to modify their “no interviews” policy, finding the original plan unworkable, so that future interviews focused on the workers and their issues, and to try and use that to build the organization.¹¹ In a promising development, Judi Bari’s interview with Jane Kay on the *San Francisco Examiner* focused on the workers’ own statements, and Kay’s piece was fair and accurate.¹² Unfortunately, Gilden’s article would not be the last time that Earth First! or IWW Local 1 would be quoted out of context or their words misconstrued. Like it or not, Earth First! and IWW Local 1 were in the corporate media spotlight, and the timber corporations, lead by G-P, L-P, and P-L were likely to milk any negative press about their adversaries to infinity.

⁷ Gilden, op. cit.

⁸ Bari, February 1990, op. cit.

⁹ Gilden, op. cit.

¹⁰ Bari, February 1990, op. cit.

¹¹ “Minutes of the February 1990 IWW Local #1 General Membership Branch meeting”, op. cit..

¹² “Redwood Wrangle: North Coast Split Over Logging of Old Growth”, by Jane Kay, *San Francisco Examiner*, January 21, 1990.

29. Swimmin' Cross the Rio Grande

Corporate Timber's strategy for defeating popular resistance on the North Coast, whether union organizing, environmentalism, or citizen ballot initiatives depended heavily on keeping its would-be watchdogs and critics pitted against each other, or focused on a specific scapegoat. As the minutes of 1989 ticked away into 1990, the timber corporations were finding this an increasingly difficult prospect, and sometimes all it took to fracture whatever consensus they could muster was a perfect storm of indirectly related events. The arrogance of Louisiana Pacific in particular undermined Corporate Timber's ability to keep an increasingly fearful workforce focusing their blame for all that was wrong on "unwashed-out-of-town-jobless-hippies-on-drugs." In spite of all of the footwork done by Pacific Lumber with the help of TEAM and WE-CARE to manufacture dissent against the environmentalists' campaign to block THPs and draft measures like *Forests Forever*, the catalyst that lit the opposing prairie fire was Louisiana-Pacific's plans to outsource productions.

In December, the Humboldt and Del Norte County Central Labor Council, representing 3,500 union members from over two dozen unions in both counties rented billboards imploring the L-P not to move to Mexico.¹ Suggesting that the unions were forced to look beyond mere bread and butter issues, some of the billboards read, "Please don't abuse our community *and our environment*." L-P, who routinely paid for full page ads in the local press claiming to be "a good neighbor" touting their alleged pro-worker and pro-environmental policies, responded by claiming in their latest such entries that they were not exporting logs to Mexico, just green lumber for drying and planning. Although the handwriting should have been on the wall seven years earlier when L-P had busted the IWA and WCIW in the mills throughout the Pacific Northwest, there were several other unions which had a relationship with the company in various capacities. Hitherto they had been unwilling to bite the hand that fed them, and many wouldn't have even considered making an overture of friendship to Earth First!, but now, all of a sudden, the leadership of various AFL-CIO unions based in Humboldt and Mendocino County finally awakened to the possibility that their enemy *wasn't*, in fact, "unwashed-out-of-town-jobless-hippies-on-drugs."²

¹ "'Don't Go to Mexico, Signs Urge L-P'", by Charles Winkler, *Eureka Times-Standard*, December 28, 1989.

² "Labor Says L-P is the Enemy", by Tim McKay, *EcoNews*, January / February 1990.

At a press conference held on December 27, 1989, several representatives of the aforementioned unions explained their motivation for this hitherto unprecedented display of open defiance to Corporate Timber. They expressed concerns that the new \$12 million plant could expand into a \$100 million complex by 1995, thus resulting in further downsizing of the corporation's local facilities. Dave Funderburg, secretary-treasurer of the Building and Construction Trades Council of Humboldt and Del Norte Counties stated, "The bottom line is greed. Basically L-P's moving [to Mexico] for three reasons: cheap wages, no safety compliance programs such as Cal-OSHA and no environmental controls." He added that the unions would continue to pay for the billboards "indefinitely." Plumbers & Steamfitters Local #471 business manager Gary Haberman added, "The only jobs left in the lumber industry will be timber fallers, truck drivers to get logs to the barges and shiploaders to load the wood." He further noted that L-P hadn't been "union friendly" since they busted the IWA in 1985, and had been bringing in workers from out of the area to work in their local nonunion plants.³

Shep Tucker tried to blunt and isolate the growing opposition by dismissing both their claims and their standing among the local timber-dependent workforce. He continued to deny there would be any loss in local jobs.⁴ He then further declared that only \$12 million had been authorized for the Mexico plant and that it was not L-P's policy to "operate on speculation and rumor, and to do what we do because of the dictates of the consumer and what our competitors are doing."⁵ He then made a rather ridiculous statement that most of L-P's mills were nonunion because its workers were happy with their pay and benefits, a claim that was openly debunked by several of the *nonunion* L-P mill workers Tucker claimed to be representing.⁶ In any case, the issue wasn't whether L-P was union or not, but rather that their move to Mexico would negatively affect local workers regardless of whether or not they were union or nonunion and regardless of whether or not they worked for L-P. As Gary Tracy, President of the Humboldt County Building Trades Council explained, "We want to see L-P stay in Humboldt County and use American natural resources to provide jobs for American Workers. (The billboards are meant) to inform the public about what L-P is doing."⁷

As it turned out, Tucker's lack of forthrightness extended far beyond just the mood of L-P's nonunion employees. Within days of the unions' press conference, the *Santa Rosa Press Democrat* broke the news that the company was transferring \$1.5 million in milling equipment from its shuttered Potter Valley Mill to its new facility in Baja

³ Winkler, December 28, 1989, op. cit.

⁴ "Labor, Activists Unite to Fight L-P", by Crawdad Nelson, *Anderson Valley Advertiser*, January 17, 1990.

⁵ Winkler, December 28, 1989, op. cit.

⁶ "L-P Spokesman is Questioned", letter to the editor by Belinda Kruse, *Eureka Times-Standard*, January 17, 1990, and "L-P Worker Disputes Claims", letter to the editor by Bob Weatherbee, *Eureka Times-Standard*, January 19, 1990.

⁷ Winkler, December 28, 1989, op. cit.

California.⁸ In the eyes of the critics, any pretense that L-P had opened this new facility for anything but increasing its profits at the expense of the workers and the environment had completely evaporated. Then, in early January, L-P poured salt into the wound by selling the closed mill plus another in Red Bluff, both of which combined had employed 300 to Fiberboard Corporation, a company that L-P had spun off.⁹ Adding to the betrayal, Congressman Doug Bosco had announced, the fall, that he would not interfere with L-P's Mexico expansion, stating that the company had promised him that its redwood processing operations in Ensenada wouldn't result in local mill closures. Upon hearing the news of L-P's shipping its milling equipment south of the border, however, the congressman had to at least save face, which he attempted by stating, "If it doesn't hold to its promises, we'll find a way to make life difficult for Louisiana-Pacific."¹⁰ Faced with these revelations, Shep Tucker backtracked from his initial promise stating, "We've never said that no jobs would be lost."¹¹

The Humboldt County union leaders responded angrily by publically denouncing Tucker as a liar. Gary Tracy declared, "L-P was either lying to us in December or lying to us in January," (but either way one of them didn't jibe with the other). He assessed the corporation's motivations as being driven by "greed". Cindy Watter, president of the Humboldt County Democratic Party Central Committee joined Tracy and several other union officials in declaring L-P "disloyal and ungrateful" to the North Coast and promised to renew the boycott against the company that had lain dormant since 1985. Watter went one step further, calling for a coalition of labor and environmental organizations, an idea hitherto reserved for radicals such as the IWW and Earth First!. "Big timber companies control our economy while blaming problems on environmentalists, but this loss of jobs can't be blamed on the spotted owl. It is important that we stick together on this. Our community is united in opposition to this move," she declared.¹²

Tucker was stubbornly defiant in his defense of L-P, however. "People keep wanting me to make crystal ball predictions of the future. I can't do that, and neither can Gary Tracy, I might add. (Their complaints) don't make sense. If those jobs don't exist in the first place, how can they be lost?" he stated, ignoring the unions' point that L-P was denying Humboldt County the opportunity to create additional jobs locally.¹³ Further, although Tucker obviously was aware of the connection, his attempts to deflect attention away from the jobs that L-P had already cut by closing its Potter Valley and Red Bluff mills were not likely to convince anyone.¹⁴ Not content with these denials,

⁸ McKay, January / February 1990, op. cit.

⁹ "L-P Sells Two Operations in Red Bluff California", staff report, *Mendocino Beacon*, January 4, 1990.

¹⁰ McKay, January / February 1990, op. cit.

¹¹ "Labor, Activists Unite to Fight L-P", by Crawdad Nelson, *Anderson Valley Advertiser*, January 17, 1990.

¹² "Union Leaders Claim L-P Lying About Mexico Move," by Charles Winkler, *Eureka Times-Standard*, January 18, 1990.

¹³ Winkler, January 18, 1990, op. cit.

¹⁴ McKay, January / February 1990, op. cit.

Tucker engaged in further job blackmail¹⁵, and declared that if *Forests Forever*, *Big Green*, or Patrick Shannon's *Timber Bond Act* passed in November, the company would "have to shut down 50 percent of its operations." Even members of TEAM, such as Don Stamps, who called Tucker, "an even bigger liar than the environmentalists", weren't buying this.¹⁶ The potential disaster resulting from a split between spokesmen from TEAM and WECARE, especially in light of the need for Corporate Timber hegemony in facing those ballot initiatives, was enough to prompt an angry response to Stamps by Tucker himself.¹⁷ On the other hand, the once divided mainstream labor and environmental movements were now coalescing further.

Late in the morning, on Thursday, January 11, 1990, 200 union members *and* environmentalists, representing over a dozen organizations rallied in Samoa at L-P's giant pulp mill to protest the company's "Baja Boondoggle" in particular, but also several other egregious practices of L-P's that angered them.¹⁸ Among the local unions represented were the IWW Local #1, IWA Local #3-98, ILWU Local #14, Plumbers & Steamfitters Local #471, Sheet Metal Workers Local #104, the Building and Construction Trades Council of Humboldt and Del Norte Counties, and the Humboldt-Del Norte Central Labor Council of AFL-CIO. They were joined by Boilermaker's Lodge #549 of Pittsburg, California (in Contra Costa County), the Building and Construction Trades Council of Contra Costa County, and the Painters and Allied Trades Local 4 from the City and County of San Francisco. The Humboldt Democratic Central Committee was represented along with Earth First!, Rainforest Action Network, the Sierra Club, the Surfrider Foundation, and the North Coast Environmental Center.¹⁹

Judi Bari would later describe the rally as mostly symbolic and ineffectual²⁰, but it did represent a major step forward in one very important sense: it was clear from the speeches from all of the various constituencies that the *corporations* were seen as the common enemy. Gary Tracy, President, Building Trades Council declared, "(L-P's) simply moving to Mexico for greed, money in their pocket."²¹

Gary Haberman, a member of the Yurok Tribe, agreed, declaring, "I see us all on the same reservation now."²²

¹⁵ "Fear at Work", by Dan Faulk, *Country Activist*, July 1990.

¹⁶ "Explaining Dissenting Views", letter to the editor by Don Stamps, *Eureka Times-Standard*, January 8, 1990.

¹⁷ "L-P Expansion Only Fair", letter to the editor, by Shepard Tucker, *Eureka Times-Standard*, January 23, 1990.

¹⁸ "200 Workers Protest LP Plan: Pacific Lumber Harvest May Threaten Seabird", *AP Wire*, *Ukiah Daily Journal*, January 12, 1990.

¹⁹ "Crawdad Nelson, January 17, 1990, op. cit.

²⁰ "1990: A Year in the Life of Earth First!", by Judi Bari, *Anderson Valley Advertiser*, January 2, 1991.

²¹ "Unions Say L-P Move Will Cost Jobs, by David Forster, *Eureka Times-Standard*, January 12, 1990.

²² "Crawdad Nelson, January 17, 1990, op. cit.

Humboldt County Supervisor, Wesley Chesbro read prepared statements from Dan Hauser and Barry Keene denouncing L-P's Mexico move. Hauser claimed he would "show L-P there's more to business than just the short term."²³ Chesbro also repeated the famous line from the movie, *Network*, shouting, "We're mad as hell, and we're not going to take it anymore!" and stated, as far as the shotgun wedding between capitalism and the local community was concerned, "it may be time for a divorce."²⁴

Bonnie Sue Smith, spokesperson for IWA Local #3-98 in Arcata declared, "To help the timber companies we fought the Sierra Club, Earth First!, and government regulators, because we thought we were saving our jobs. But now we know L-P is our economic enemy, not the Sierra Club."²⁵ She added, "They wait until you're down and then they stick it to you."²⁶

Bill Chancellor, also of IWA Local 3-98 stated, "L-P has made the statement that opposition is coming from a small group of radicals. Well, it's not...The jobs in Mexico are ours and we're going to fight to keep them."²⁷

"L-P is more concerned with a few points on its profit-and-loss line than with people's lives. It is socially irresponsible," said Richard Khamsi, business manager for Humboldt-Del Norte Central Labor Council of AFL-CIO.²⁸

"They shouldn't send that wood to Mexico, they should keep it here for the people and the communities that helped make this company what it is. Practically all the oldtimers are against this," said John Stewart, president of a group of retired Teamsters.²⁹

"When it comes to the timber wars this is really historic. When labor and environmentalists come together, watch out," proclaimed Judi Bari, putting the exclamation point on the event (in spite of her skepticism of it).³⁰

A musical performance by Judi Bari, Darryl Cherney, and George Shook (under the name Earth First! – IWW Local #1 complete with a banner announcing this new union local's existence), including now standard protest songs such as *Where are We Gonna Work When the Trees are Gone?*, *Potter Valley Mill*, and *El Pio*, further punctuated the demonstration.³¹ Cherney had also been performing a new song he had written in relevance to the recent revelations of Louisiana Pacific's impending exodus to Mexico called *Swimmin' Cross the Rio Grande*:

²³ McKay, January / February 1990, op. cit.

²⁴ "Crawdad Nelson, January 17, 1990, op. cit. Mike Geniella attributed this quote to Bonnie Sue Smith in "Labor Joins Protest Against L-P; Eureka Rally Aimed at Timber Giant's Expansion in Mexico", by Mike Geniella, *Santa Rosa Press Democrat*, January 12, 1990.

²⁵ McKay, January / February 1990, op. cit.

²⁶ "Crawdad Nelson, January 17, 1990, op. cit.

²⁷ "Labor Joins Protest Against L-P; Eureka Rally Aimed at Timber Giant's Expansion in Mexico", by Mike Geniella, *Santa Rosa Press Democrat*, January 12, 1990.

²⁸ "Crawdad Nelson, January 17, 1990, op. cit.

²⁹ Geniella, January 12, 1990, op. cit.

³⁰ Geniella, January 12, 1990, op. cit.

³¹ "Crawdad Nelson, January 17, 1990, op. cit.

*“Well I was born south of the border,
But I could not find a job,
I swam across the Rio Gran-de,
I paid a thousand to the Mob,
I traveled up to Mendocino,
Where I found work in forestry,
They paid me seven bucks an hour,
Pulling green chain for L-P...*

*“But now L-P they move to Mexico,
And I’m feelin’ pretty bummed,
The thousand bucks I paid the coyote,
It didn’t come with no refund,
They left Ukiah a ghost town,
I didn’t know that’s what they planned,
And now my arms are getting tired,
Swimmin’ ‘cross the Rio Grande.*

*“Well I was born here in Ukiah,
I worked here at the L-P mill,
I watched them kill the Russian River,
And a couple of friends of mine as well,
I worked six ten-hour shifts a week,
So where’s my pat on the back,
If I wanna keep on milling redwood,
I’d better learn some Spanish Jack...*

*“Because L-P they’ve moved to Mexico,
And this good ol’ boy is sour,
I had to move south of the border,
They pay me fifty cents an hour,
They left Ukiah a ghost town,
I didn’t know that’s what they planned,
And now my arms are getting tired,
Swimming ‘cross the Rio Grande.”³²*

Jim Wilson, spokesman for the Boilermaker’s Union, Lodge 549, who had provided soda and hot dogs for the rally, stated that they could no longer blindly support big industrial corporations, like L-P, because it no longer had and sense of American

³² Swimmin’ ‘Cross the Rio Grande, by Darryl Cherney, featured on Timber, 1991; lyrics reprinted by permission. Cherney would sometimes humorously declare that the song came to him in a vision of a three panel comic strip in which an American worker swimming southward across the Rio Grande encountered a Mexican worker swimming northward across the same river, and when they met, their merged thought balloons included a single question mark.

patriotism. “We’ve been taking little pieces and losing the pie...we’ve had this fight in Stockton, in Pittsburg, in Redding. It’s going on in towns all over America.” In response to being dismissed as “outsiders” by the local media, the Boilermakers reminded the mostly sympathetic crowd that the highly specialized techniques used in the high pressure fittings involved in the construction of boiler equipment and smokestacks in mills required highly skilled laborers. Wilson explained that the members of the Pittsburg lodge typically worked on such jobs all over California. He pointed to large rectangular scaffolding on the nearby Samoa pulp mill and declared that the real outsiders were the unskilled and unqualified nonunion labor, and noted that 34 out of the 50 vehicles used by that particular construction crew were from out of state. Evidently L-P was well practiced at shifting the blame to the innocent if not the victims of their corporate criminality. Although only a small group of timber workers attended the rally, at noon, one union worker from Simpson claimed that he would have been able to bring along seventy of *his* willing fellow workers had the rally been held outside of normal working hours.³³

Shep Tucker’s pooh-poohed the event. His dismissive response to the growing coalition of unions and environmentalists was to say, “(I’m not) really sure what the goal of these people are today...I’m very unclear who all these people are.”³⁴ However, relations between the union officials, timber workers, and the environmental activists were cordial, even sympathetic. Union officials and environmental activists from both Humboldt and Mendocino Counties agreed to organize a combined panel to seek common ground and raise awareness about various issues on which they had common interests, and as it turned out, they had many.³⁵ L-P’s lack of sensitivity helped unite the opposition once again, and as if the mill closures hadn’t been enough, the company had recently announced that they would resume aerial deployment of Garlon 4 in the woods.³⁶

Indeed, for a time at any rate, L-P’s and Tucker’s defenders, locally at least, were reduced to those who were ideological predisposed to corporate dominance or suffered from what Pete Kayes told Judi Bari was a case of the Stockholm Syndrome (the same malaise that he suggested affected his own fellow workers who had gullibly thrown their lot in with the likes of TEAM). There were always enough reactionaries who could always be counted upon to twist logic into a pretzel, such as Audrey Sydell, who

³³ “Crawdad Nelson, January 17, 1990, op. cit. The identity of this person is not given, but based on very similar comments made by Dave Chism, at a rally held several months later, he best fits the description of this unnamed individual.

³⁴ “Labor Joins Protest Against L-P; Eureka Rally Aimed at Timber Giant’s Expansion in Mexico”, by Mike Geniella, *Santa Rosa Press Democrat*, January 12, 1990

³⁵ “Crawdad Nelson, January 17, 1990, op. cit.

³⁶ “Dozens Rally at L-P Pulp Mill to Protest Herbicide Spraying,” by David Forester, *Eureka Times-Standard*, April 13, 1990.

laughingly tried to defend L-P as a “local business”³⁷, and Lowell S Mengel II, who blamed the victim for the company’s capital flight and even described the protesters’ opposition to it as “racist”.³⁸ And, if all else failed, even in the days when the Soviet Union was clearly unraveling, at least someone (Hal Whittet) had to resurrect the evil “Communist” boogeyman, offering the false dichotomy between unrestrained corporate pillage and Stalinist gulags.³⁹ Yet it was *these* voices that the Corporate Media tended to identify as being those of the timber workers. Reality was, of course, far more nuanced.

Some of the truckers transporting material in and out of both the L-P mill and the nearby Simpson Pulp mill in Fairhaven *were* clearly on the side of the companies, as evidenced by them uncaringly driving their trucks through the unions’ informational picket lines. Conversations overheard on radio frequencies monitored by the more sympathetic workers included statements like, “Those bastards (are) getting in the way again,” no doubt recalling the Earth First! – IWW greenhouse demonstration from two years back or the anti log export demonstration held the previous year. Others honked their horns in support of the rally, however.⁴⁰ It was evident that L-P’s divide and conquer tactics were failing.

This rally, by itself, may have been mostly symbolic, even superficial, but it signaled the potential for far more reaching systemic change. It clearly showed that the struggle was not one of workers versus environmentalists, but rather the *99 Percent*, made up of the people, including unions, workers, environmentalists, small landowners, small businesses, fishermen and the like versus the *One Percent*, composed of mostly absentee corporate owners who had no direct stake in the economic or environmental health of the community. The power of the latter depended heavily on sowing divisions between the former. For the corporations, far too much was at stake to allow their opposition to unite in common cause. In their eyes, the only thing preventing that from reaching its full adversarial potential was the emergence of a charismatic leader, and there were signs that one individual in particular, Judi Bari, might already be that person. The fears of Corporate Timber were about to be realized in a big way.

³⁷ “Democrats are Teamed with Labor”, letter to the editor by Audrey Sydell, *Eureka Times-Standard*, January 31, 1990; Sydell’s letter was elicited at least one response: “L-P Hardly Has the Answers”, letter to the editor by Virginia Funderburg, *Eureka Times-Standard*, Feb. 16, 1990.

³⁸ “Protestors are Inconsistent”, letter to the editor by Lowell S Mengel II, *Eureka Times-Standard*, Feb. 1, 1990.

³⁹ “L-P Viewpoint Not All Bad”, letter to the editor by Hal Whittet, *Eureka Times-Standard*, March 1, 1990.

⁴⁰ “Crawdad Nelson, January 17, 1990, op. cit.

30. She Called for Redwood Summer

*Now Judi Bari is a feminist organizer,
Ain't no man gonna keep that woman down,
She defended the abortion clinic,
In fascist Ukiah town;*

*Calvary Baptist Church called for its masses,
Camo-buddies lined up in the pews,
You can see all of their faces,
In the Ukiah Daily News;*

*And they spewed out their hatred,
As Reverend Boyles laid out their scam,
Bill Staley called for violence,
It was no secret what they planned...*

—lyrics excerpted from *Who Bombed Judi Bari?*, by Darryl Cherney, 1990

“Our managers know they have to perform. I like to say they have one testicle on deposit.”

—T Marshall Hahn, from *Glacial Erratic*, Winter, 1990

The timber wars were escalating on the North Coast and far beyond as well. Echoing Maxxam's takeover of P-L, in early 1990, Georgia-Pacific seized Great Northern Nekoosa (GNN) in a hostile takeover making G-P the largest forest products corporation in the world at the time, with annual sales in excess of \$14 billion, and the largest owner of timber acreage in the United States. G-P had also been charged with at least 114 violations of water quality laws, most of them concentrated in the years leading up to its takeover of GNN. The company was responsible for five major spills into the St Croix River in 1989 alone. The director of water pollution enforcement efforts for Maine's Department of Environmental Protection had said that the company had violated “just about every provision of its license at one time or another.” G-P also imported over 150,000 tons of finished hardwoods from the endangered tropical rainforests. The company's labor practices were equally atrocious. In response, Earth First! and the Rainforest Action Network organized a nationwide boycott of G-P, following the pattern of a similar, successful boycott of Scott Paper Company in the Fall

of 1989.¹ To service the debt from their takeover, they too would likely accelerate their harvests throughout their holdings. If Corporate Timber had hoped to quell dissent, they were sabotaging their own efforts due to their own hubris.

Meanwhile, in Humboldt County, Pacific Lumber was attempting, once again, to log in Headwaters Forest, and as before, they encountered yet another roadblock the week of January 7, 1990. The company had filed two THPs, 1-89-762 and 793 that proposed logging 564 acres in the *dead center* of the contested grove.² A report filed by Ken Moore, the assistant biologist for the California Department of Fish and Game office in Eureka, determined that there was insufficient data regarding the potential cumulative impact of potentially imperiled wildlife, including the marbled murrelet, in the proposed THPs. As a result, the CDF official responsible for determining the fate of the THPs in Santa Rosa, Len Theiss, instructed the company to file a written response by January 18, including any steps they planned to take to protect the affected wildlife or minimize the impact of logging on it.³

This was unprecedented, and having already faced several years of lawsuits and even a few rejected THPs, Pacific Lumber management, particularly John Campbell and Robert Stephens were quick to accuse the CDF of being politically motivated, and accused the DF&G of aiding radical environmentalists in an attempt at a “land grab” of Headwaters. “It certainly appears to us that Fish and Game is abusing their regulatory processes in order to appease Earth First! and their supporters,” declared John Campbell. “Part of this package was a request for additional wildlife studies to be designed by a biologist in my employ. They requested these surveys knowing full well they would require up to a year to complete,” added Robert Stephens in a letter to the CDF.⁴

Theiss, who—like Partain, was no Earth First!er—didn’t take too kindly to being green-baited and steadfastly insisted that he was merely doing his job. He argued that the recommendation from Fish and Game were an unexpected, “shot out of the dark,” that caught him and Joe Fassler, the chairman of the review team, by surprise.⁵ However, he also declared, “My job is to chose the least damaging of any feasible alternatives, and that’s what I intend to do.” He even recommended to P-L, that in lieu of costly wildlife surveys of Headwaters Forest, they could instead harvest old growth trees from smaller, isolated stands, return to its pre-Maxxam harvest rates, or stop selling logs on the open market and instead mill them in Scotia. Theiss even reminded P-L that if he accepted the recommendations by the DF&G, the company could always

¹ “Georgia-Pacific Seizes Great Northern”, by Jamie Sayen, *Earth First Journal*, Eostar / March 20, 1990.

² “Will Congress Save Headwaters?”, by Andy Alm, *EcoNews*, December 1989.

³ “P-L Gets Two-Week Extension To Reply to Harvest Plan Snag”, by David Forster, *Eureka Times-Standard*, January 18, 1990.

⁴ “Headwaters Trees in Eye of a Storm”, by Mike Geniella, *Santa Rosa Press Democrat*, January 14, 1990.

⁵ Forster, January 18, 1990, op. cit.

appeal to the State Board of Forestry in Sacramento, which was politically quite favorable to Corporate Timber.⁶ Instead, Pacific Lumber requested, and was granted, a two-week extension, at Theiss's suggestion, to respond to DF&G's recommendations.⁷

There were few who would dispute that the fight over Headwaters Forest was the most important, but by no means the only battle in the timber wars, and that its fate would ultimately determine the future of logging throughout the entire Pacific Northwest. Pacific Lumber denied this, of course. Robert Stephens opined that on a scale of one to ten, Headwaters rated a "four" in terms of old growth redwoods, neglecting to clarify if that was measured in biological diversity or dollar signs. Considering that the 288 acres Headwaters in the contested THPs could produce up to \$38.5 million in lumber and \$1 million in timber tax yield, Stephens likely meant the latter. Greg King, on the other hand countered that the contested groves were among the world's most important biological remains, and Robert Sutherland concurred, stating, "To say that Headwaters is not one of the very best stands is also misleading." A coalition of Congressional Representatives, the Sierra Club, the Natural Resources Defense Council, the Wilderness Society, and Save the Redwoods League seemed to agree and joined EPIC and Earth First! in organizing to oppose its cutting.⁸

Of course, a bigger battle centered around the three proposed environmental initiatives, *Big Green*, *Forests Forever*, and the *Timber Bond Act*. "No matter where people live, they consider the redwood forests their own and they're not going to stand for more logging of the last trees," declared Betty Ball. Indeed, the sense was among many on all sides of the struggle that at least *Forests Forever* had a good chance of winning, and that alone was enough to prompt the Timber Association of California, the chief state lobbying group for Corporate Timber, to follow John Campbell's suggestion and draft its own counter-initiative to undermine it.⁹ That proposition would, if passed, not only counteract *Forests Forever* should the former receive more votes, it would loosen up the already lax enforcement existing under the status quo *even further*. As a result, California Attorney General Van de Kamp, a chief sponsor of a much more sweeping ballot initiative that was supported by many of the same interests as *Forests Forever*, *Big Green*, began referring to the TAC initiative as "*Big Stump*". All of this was intensified by the momentum building behind William Bertain's latest lawsuit against Maxxam. 100 former shareholders and several businesses including the San Francisco chapter of the Red Cross, Washington Mutual Savings Bank, Food Mart Eureka, and the Samuel Merritt Hospital Retirement Fund had signed on.¹⁰

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The situation was growing increasingly volatile and the politicians that represented the timber dependent districts on the North Coast, Doug Bosco, Barry Keene, and

⁶ Geniella, January 14, 1990, op. cit.

⁷ Forster, January 18, 1990, op. cit.

⁸ Geniella, January 14, 1990, op. cit.

⁹ Geniella, January 14, 1990, op. cit.

¹⁰ "Will Congress Save Headwaters?", by Andy Alm, *EcoNews*, December 1989.

Dan Hauser, were waxing increasingly concerned that both the public and Corporate Timber were seeing them as irrelevant, which did not serve them particularly well in an election year. Ostensibly seeking to promote “compromise”, but more likely hoping to prevent both sides from making end runs around the political process their standard practice, the three began meeting with each other to devise a strategy to regain political control of the situation. “It’s all grown much more complicated now that the rest of the state is involved,” lamented a frazzled Barry Keene. His colleague, Dan Hauser elaborated, “Very clearly these are issues of extreme concern to all of us. We’re trying to work with all of the parties involved, get away from the rhetoric, and come up with some solutions. Perhaps by the end of the month we will all have something to talk about.” Wise to their game, Betty Ball responded skeptically, saying, “My experience tells me they will throw you a crumb and then say everything is OK.”¹¹

A clear indication of the unlikelihood of a negotiated “compromise” between Corporate Timber and the increasingly conscious citizens of the North Coast was demonstrated within less than a month. Only four days after north coast labor unions and environmentalists rallied at Samoa, many of the forces on all sides of battle convened to discuss and debate the issue at the inaugural public forum of the William O. Douglas Society at Mendocino College. A panel of ten “experts” offered their opinions and prognosis to a crowd of nearly 300. Speaking more or less on behalf of corporate timber were panelists Congressman Doug Bosco, Jim Little of Harwood Forest Products, IWA Local 3-469 union representative Don Nelson, L-P spokesman Shep Tucker, and G-P forester Allen Overfield. They were balanced, somewhat, by Philo resident Kathy Bailey (no relation to Bill and Judith), who coauthored *Forests Forever*, Linda Bailey, a water-resources attorney, and Hans Burkhardt, a local environmentalist, with substantial knowledge of sustainable forestry issues whose efforts were credited with Mendocino County’s formation of its Forest Advisory Committee (FAC). Mendocino County Supervisor James Eddie and John Teie of the CDF represented a more or less moderate to conservative “middle”.¹²

Immediately there were rumblings that the panel was not representative of the people’s interests. FAC chairman Wayne Miller, whom *Anderson Valley Advertiser* editor Bruce Anderson referred to as “the local (timber) industry’s ideological cop”, moderated the panel, assisted by Mendocino County Agriculture Office representative Pete Passof. According to Anderson, “At the slightest hint of irreverent or disrespectful comment directed at either L-P’s Tucker or our irritable Congressman, Miller was quick to rule the questioner out of order.” That Doug Bosco was even present at all was significant, because by this time he rarely made public appearances, no doubt due to his being much maligned for the political skeletons in his closet. Shep Tucker, by contrast, was used to the spotlight. Douglas Society member and Willits attorney,

¹¹ Geniella, January 14, 1990, op. cit.

¹² “You Fine Haired Sons of B——”, by Bruce Anderson, *Anderson Valley Advertiser*, January 31, 1990. The title of the article is a reference to Black Bart, who used the phrase to describe his enemies in law enforcement.

Montana Podva, served as a Master of Ceremonies and periodically intervened to rescue Miller when confronted by various speakers who challenged the pro corporate spokespeople on the panel. The panel had barely come to order before Judi Bari spoke from the floor, arguing that the panel was too heavily weighted in favor of corporate interests. Podva spoke in response declaring that he was a contributor to Earth First!, and that he agreed with the need to provide more balance. He offered to organize a follow-up forum that included Bari on the panel, and then held up his infant son and said, "I want a forest for him to enjoy, when he grows up." For the moment, Bari was appeased.¹³

In spite of the perceived lack of balance, the discussion waxed quite lively and most of the audience, other than a handful of uncritical apologists for Corporate Timber, seemed to appreciate a chance to finally put representatives of the powers that be on the spot. The first question of the evening was directed at Louisiana-Pacific and their recent charges of polluting the Russian River, to which Tucker responded, issuing the standard WE CARE scripted, Corporate Timber talking points (much to most of the audience's discontent), "font-family: 'Times New Roman','serif';L-P is learning to protect water quality, but if the interference from environmentalists with private landholders continues, we will be forced to subdivide more and more of our land."¹⁴ When confronted with questions about L-P's obvious attempt to outsource to Mexico, Tucker reiterated the official claim that the decision was based on the Baja California climate, but he admitted "labor costs are a key concern too," but then tried to justify that by adding, "Mexico has labor unions and Mexico has environmental protection laws" as the audience groaned in response to what they took as a meaningless and empty gesture. "I know," Tucker then replied, "I'm about as popular with you people as the skipper of the (Exxon) Valdez," who had recently been the pilot of the ill-fated oil tanker that had caused one of the worst oil spills in Alaskan history. "Not quite *that* popular!" responded one member of the audience while much of the rest laughed approvingly.¹⁵

It was readily apparent that the Corporate Timber forces were heavily outnumbered, and unable to stranglehold the message. Congressman Bosco stepped in to defend L-P, specifically the corporation's relocation of its milling operations to Mexico, suggesting that competition from Canadian timber firms was pressuring American companies to over cut and exploit Mexican labor, citing the *New York Times*' use of Canadian paper as evidence. Mike Keopf challenged Bosco to explain why L-P couldn't have relocated to the southeastern California desert instead, for which the latter had no response. Walter Smith rebutted the congressman by pointing out that G-P and L-P had been liquidating their forests by over cutting them long before Canadian competition was a significant factor. Supervisor Eddie declared that L-P's outsourcing was unfair, because

¹³ Bruce Anderson, January 31, 1990, op. cit.

¹⁴ Bruce Anderson, January 31, 1990, op. cit.

¹⁵ Bruce Anderson, January 31, 1990, op. cit.

(in these days before NAFTA), “American trucks (couldn’t) even go into Mexico.” David Drell asked why the USFS allowed L-P to continue to use 2,4-D on federal lands. If there was any lingering doubt that Congressman Bosco didn’t have his finger on the pulse of the crowd, he removed it by declaring that the chemical was only used far away from population centers and water courses.¹⁶

Bosco was no less willing to carry the water for Maxxam. Mike Koepf asked Bosco to jog his memory to the 1986 Democratic Congressional Primary (when Koepf was one of his challengers) and recall one of his own specific campaign promises, to introduce restrictive legislation against Pacific Lumber if the company undermined its viability through over cutting, which it certainly had been doing for four years now. The Congressman conceded that all three of the North Coast’s big timber corporations were engaged in dangerously accelerated timber harvests, but he backtracked by placing the blame for Maxxam’s takeover on the previous owners who had not only underestimated the value of their holdings, but had opened themselves up to the takeover by listing themselves as a public corporation. Jim Eddie again challenged Bosco, countering, “There is a big problem identifying stockholders in these days of junk bonds. It’s impossible to tell who’s in charge.” The congressman then desperately tried to defend the accused Wall Street speculator by channeling John Campbell and Harry Pritchard (neither of whom were present), describing Maxxam’s tripling of its harvesting since 1986 as a positive development, because more people were working at Pacific Lumber than ever before. The audience groaned further; Bosco was clearly losing any shred of support he may have had at the start of the forum.¹⁷

Rather than face further scrutiny, following an intermission, Doug Bosco announced that he had to depart for Washington, though he stayed long enough to dispatch one of his aides to collect campaign contributions from some of the more wealthy Democratic Party donors in the audience. Making good on his word, Podva appointed Judi Bari to take his place on the panel. At which point, Jim Little of Harwood’s revealed to the audience that the latter had been in negotiations with Earth First! for several months to try and achieve some semblance of common ground, after The Lorax controversy. The effects of these talks could be evidenced by his drawing very sharp distinctions between small time operators and the big corporations and then his surprising everyone—perhaps himself included—by stating, “Maybe under capitalism the forests can’t be preserved...maybe we need to find some other method, some solution.” Realizing that he had inadvertently thrown aside the Redwood Curtain, Little hastily added, “I am a capitalist and I’m opposed to public ownership...” Little was probably not as capitalistic as he was claiming however, and was likely backtracking to avoid being lumped in with the “unwashed-out-of-town-jobless-hippies-on-drugs” by the likes of Shep Tucker and John Campbell.¹⁸

¹⁶ Bruce Anderson, January 31, 1990, op. cit.

¹⁷ Bruce Anderson, January 31, 1990, op. cit.

¹⁸ Bruce Anderson, January 31, 1990, op. cit.

“Maybe the solution you’re looking for is *employee* ownership,” interjected Judi Bari, attempting to rescue Little and drawing the distinction between the world envisioned by state socialists and the IWW.¹⁹ The audience was suddenly very alert. Bari continued:

“We’re facing a desperate situation in this County. We’re controlled by the giant corporations bent on destruction of the redwood ecosystem to feed the gluttony of a couple of millionaires, Merlo and Hurwitz. These people are corporate criminals whose attitudes toward the workers are as careless as their attitudes towards the forests and the rivers. L-P poisoned Ukiah’s water for years, then only got a slap on the wrist. They killed Fortunado Reyes at their Ukiah mill when he was crushed by a load of lumber after being ridiculed for using the emergency stop to clear the line. And this guy, Shep Tucker...at the time of Fortunado’s death said only ‘Oh, well, it’s dangerous to work in a mill.’”

“L-P was fined \$1,200 for murder, which they appealed as being too high. What value does L-P put on a worker’s life when \$1,200 is too high? They’re wiping out baby trees and killing workers. This isn’t logging, it’s liquidation. And these people don’t care about jobs. They’re using machines in the woods called feller-bunchers that replace woods workers. G-P clearcuts from Fort Bragg to Willits, making more money than they’ve ever made in history, then cut workers’ pay 25%. G-P uses the millions they’ve ripped off from their workers to buy another conglomerate in a hostile takeover. They dump PCBs on their workers then lie about it. Bosco, G-P, and L-P are telling us to look at economic alternatives after they’ve wrecked this area!”²⁰

Wayne Miller desperately tried to cut Bari off, but the latter wasn’t about to yield:

“ I’ve got only two more sentences, then I’m finished. Two hundred years ago the divine right of kings was widely recognized as an excuse to do pretty much whatever the kings wanted. Now it’s the divine right of corporations. It’s time for us to get past divine rights for anybody. Things have a right to exist for themselves and not for the profit of L-P and G-P.”²¹

According to Bruce Anderson, the audience erupted into thunderous applause. The people had won the debate, but the war was still very much anyone’s battle, and there were ominous tidings.

Thinking perhaps that it might somehow quiet the populist stirrings in the audience, Bosco had touted the upcoming “timber summit” being discussed between himself, Hauser, and Keene, just before he departed. Few in that audience were naïve enough

¹⁹ Bruce Anderson, January 31, 1990, op. cit.

²⁰ Bruce Anderson, January 31, 1990, op. cit.

²¹ Bruce Anderson, January 31, 1990, op. cit.

to think that such a deal would be anything more than a sellout. As one cynical observer put it, “a ‘reasonable’ agreement (would entail) logging the Ukiah City park in exchange for a ten-minute moratorium on the accelerated cut in the Mendocino National Forest.”²² As it turned out, the results turned out to be far worse.

* * * * *

The lawmakers announced the details of their planned summit soon after the Douglas Society debate. It was to take place behind closed doors and involve only the three of them meeting privately with Charles Hurwitz and then a few days later with Harry Merlo. The topics to be covered included P-L’s increased harvest and L-P’s offshoring. Details of the meetings were to be secret and the public would not be allowed to attend. Barry Keene’s press secretary Ed Matovcik explained the decision saying, “They hope they can resolve the problems that have arisen through negotiations and not have people from outside the area resolve them.” Few who held out hope for forestry reform saw any good coming out of such a meeting, however.

The three met with Hurwitz on Monday, January 28 in Sacramento. Doug Bosco described the meeting as “positive,” elaborating, “We covered a number of subjects with Mr. Hurwitz. I think the public will be pleased.” He did not reveal the details, however. P-L spokeswoman Mary Bulwinkel wouldn’t either, except to state, “There was meaningful dialog and an exchange of ideas but no concrete decisions,” and indicated that further discussions with Hurwitz might take place. The second meeting would be scheduled for a few days later involving Harry Merlo.²³

While North Coast residents apprehensively awaited the conclusion and outcome on February 2, Charles Hurwitz was scheduled to deliver a lecture on “ethics” of all things to a graduating class of MBA students at the University of Texas, in Austin. Two days before the speech, a sympathetic MBA student anonymously contacted Texas Earth First!ers who organized a protest at the event.²⁴ They met at a nearby eatery early that morning, then made their way to the auditorium. The first wave of ten Earth First!ers dressed in clothes closely matching the attire worn by the graduating students thus blending in with the crowd, until they began distributing leaflets describing Hurwitz’s corporate raiding practices and the grievances against him. A second wave of more Earth First!ers, dressed in more typical activist attire then appeared, chanting “Redwoods, not deadwoods,” “Axe Hurwitz!”, and other similar slogans.²⁵

The rally would soon grow tense. Although denied entrance to the auditorium, a group with a banner hung the latter on a pedestrian bridge over a busy street adjacent to the event’s location. The two combined groups of fifty demonstrators then surrounded the building, stationing their people at each entrance hoping to catch Hur-

²² Bruce Anderson, January 31, 1990, op. cit.

²³ “Timber Officials, Lawmakers Hold Summit Meetings”, by Mark Rathjen, *Eureka Times-Standard*, Feb. 2, 1990.

²⁴ “The Kozmetsky-Hurwitz Connection: A Tale of Corporate Raiders in Capitalist America by Scott Henson and Tom Phillpott, *Polemicist*, May 1990, pages 8-9.

²⁵ “Texas EF! Confronts Hurwitz”, *Earth First! Journal*, Eostar / March 22, 1990.

witz as he exited. The corporate raider was escorted out of the building by three police officers, and quickly ushered into a red sports car which drove away. Several MBA students expressed their support for the demonstration, told the assembled Earth First!ers that Hurwitz had essentially said “greed is good”, and informed the demonstrators that they had asked Hurwitz questions straight off of the Earth First! leaflets which he nervously evaded. Hurwitz had been visibly shaken by the demonstrators’ presence.²⁶

Hurwitz didn’t have time to worry. He returned to California to meet with the lawmakers in Sacramento on February 5. As the lawmakers and the Maxxam CEO prepared to meet again, an group of activists all dressed as animals or elements, traveled to Sacramento and attempted to confront them. Assisted by a Sacramento Earth First!er dressed as “Water,” who kept close tabs on Keene and watched for Hurwitz, the group was able to corner the Maxxam executive in the hallways of the Sacramento State Capitol. The reclusive Hurwitz looked very pale as he turned to find himself face to face with a demonstrator dressed as the Lorax, who informed the former that the reward for his arrest had been raised to \$5,000. John Campbell quickly corralled Hurwitz into a nearby office and managed to shield him from any further contact with the Earth First! contingent.²⁷

The latter moved on and attempted to schedule a meeting with Assemblyman Hauser, but his secretary informed the demonstrators, “he never wants to talk with you again; he knows how you feel and has nothing to say to you.” Hauser punctuated this rejection by summoning the Capitol police and having the animal costumed activists escorted out. The police showed the demonstrators a memo written and circulated by Sacramento County Supervisor, Norm Waters, describing Earth First!ers as ecoterrorists with two attached articles suggesting that the latter might actually use body bombs to carry out violent acts. Barry Keene was at least approachable, and visitors to the Capitol would have been amused by the site of the State Senator holding council with twenty demonstrators dressed as animals. Keene promised to look into the matter, but ultimately went along with the other two officials in promoting the supposed “agreement.”²⁸

On February 8, 1990, the lawmakers finally announced—with great fanfare—that an “unprecedented nine-point pact” had been struck between them and the CEOs of the two big timber corporations.²⁹ Among the alleged agreements hammered out were (1) a conditional moratorium on logging activity inside Headwaters Forest; (2) an independent audit to ensure that the logs harvested by Maxxam did not exceed double the board footage harvested by the old Pacific Lumber Company prior to the takeover; (3) P-L would not clearcut its old growth forests; (4) Pacific Lumber agreed to not export any raw logs; (4) Louisiana Pacific would not ship any logs or chips to its new

²⁶ Ibid.

²⁷ “Hurwitz Flees from Detractors: Animals Lobby California Capitol”, by Michelle Dulas, *Earth First! Journal*, Eostar / March 22, 1990.

²⁸ Dulas, March 22, 1990, op. cit.

²⁹ “Lawmakers, Timber Companies Reach Agreement”, by Keith Michaud, February 9, 1990.

Mexican facility; and (6) L-P would not “overharvest” its holdings on the North Coast in order to supply the Mexico mill, would continue supplying wood to independent local lumber manufacturers, and would help expand economic development on in the region.³⁰ In reference to the independent audit of Maxxam, the “agreement” declared, “Employees should not be forced to cut themselves out of a job. We fully intend to get all of the facts on the table. We’re tired of working in the dark when these things are knowable. A credible, independent review is essential.”³¹

The participants in the “summit” and their spokespeople were practically orgiastic in self congratulatory praise over their supposed achievement. Doug Bosco proclaimed, “The agreements will strengthen our prosperity while continuing to protect the environment. There was hard bargaining, but it was a good-faith effort. What was decided was very much in the best interest of the people of the North Coast.” The principle spokesmen for L-P and P-L agreed. Echoing Bosco, Shep Tucker called the discussions with Harry Merlo and the lawmakers “cordial” and further declared, “It was important to everybody to sit down and talk about these issues. I think this the beginning of a dialog.” John Campbell agreed and issued a stern warning, opining,

“Our company has entered into this agreement in good faith. It is now time for our adversaries to show the same good faith and work together in the interest of protecting PALCO’s workforce from layoffs, protecting the integrity of the economy of Humboldt County and the long term viability of the timber industry in Northern California.”³²

According to the deal Pacific Lumber’s “agreement” to not log Headwaters was contingent upon their ability to log other old growth stands without interference from environmentalists, whether through lawsuits or otherwise. Campbell emphasized this by stating, “We’ve put our cards on the table. (If the intention of the company’s critics is simply) banning cutting trees, then we’ve got a problem.” He also threatened job blackmail yet again by stating that although the company had no plans to conduct any layoffs due to the “moratorium” on cutting in Headwaters, if they were barred from logging the other old growth stands, “the only people that (would) suffer out of that (were) going to be the workers,” which was rhetoric intended to divide and conquer despite Campbell’s (and Shep Tucker’s) assurances that the so-called “pact” had been an attempt at overcoming divisions.³³

Clearly, the so-called summit was an attempt to steal the thunder of the environmental movement which was beginning to successfully stir up a populist revolt that

³⁰ “Lawmakers Hopeful Agreements Will End Local Timber Wars”, by Mark Rathjen, *Eureka Times-Standard*, February 9, 1990.

³¹ Mcihaud, February 9, 1990, op. cit.

³² “Lawmakers Hopeful Agreements Will End Local Timber Wars”, by Mark Rathjen, *Eureka Times-Standard*, February 9, 1990.

³³ “PL Chief Turns to Activists”, by David Forster, *Eureka Times-Standard*, February 10, 1990.

threatened to expand to the timber workers as well as local residents as well. There were many who considered the meetings specifically to take the wind out of the sails of the *Forests Forever* campaign. This contention was bolstered by IWA Local 3-469's Don Nelson who penned an open letter extolling the virtues of the timber pact—as opposed to popularly organized citizen initiatives—and sending it to just about every publication on the North Coast.³⁴ Even TEAM, who would have been the first issue a barrage of letters to the editor or organize a public event denouncing such a deal as “caving in” to pressure from “unwashed-out-of-town-jobless-hippies-on-drugs” if it had any real substance was strangely silent about it. In fact, the only communication from TEAM immediately following the summit was a letter to the Eureka Times-Standard from Marilyn Stamps (the wife of TEAM spokesman Don Stamps) encouraging more timber workers to join TEAM, WECARE, and the Yellow Ribbon Coalition.³⁵

On the other hand, Environmentalists were quick to denounce the timber pact as “a hoax” Robert Sutherland declared, “This whole deal is simply a trade-off so the lawmakers can come out against the environmental initiatives. We’ve never been contacted by anyone about this timber deal.”³⁶

Greg King argued that the whole exercise was designed by the lawmakers to quell public dissent by feigning legislative action (that they never seriously intended to take), then holding a well-publicized “negotiation” which was off limits, designed to fool the naïve public that real action would follow, thus making the lawmakers appear to be “champions of the forest,” conveniently in time for that year’s elections. He summed up his thoughts on the pact succinctly by stating, “finding holes in this deal (was) like breaking windows with bowling balls.”³⁷

³⁴ Letter to the editor, by Don Nelson, *Mendocino Beacon*, February 22, 1990 (“Sees Progress”), *Ukiah Daily Journal*, February 26, 1990 (“Don’t Make the Same Mistake”), *Anderson Valley Advertiser*, February 28, 1990 (“Too Little, Too Late, Donnie Baby”), *Willits News*, February 28, 1990 (“Initiative Mistake”), and *North Coast News*, March 1, 1990 (no title). Indeed there seemed to be no shortage of attempts by the powers that be to blunt the growing wave of opposition to Corporate Timber, because at the same time Bosco and his colleagues announced their agreement, Paul Barker, chief forester for the National Forest Service’s Southwest Pacific region announced that it would reduce annual timber sales to private logging interests there from 1.8 billion bbf to 1.4 billion bbf during the coming decade, specifically to protect riparian environments. This was hardly a significant change, in spite of outcries of opposition from the Timber Association of California. Speaking for Friends of the River, conservation director Steve Evans declared, “It’s nice that the Forest Service wants to protect more wild rivers and wilderness areas, but you have to put their agenda in the context of how many rivers and wilderness areas they are failing to protect,” and indicated that the announced change still only protected approximately one-third of all of the areas on *public land* already eligible for protection under the federal National Wild and Scenic Rivers Act. See “Timber Harvest in State to Be Slashed”, *UPI Wire*, *Eureka Times-Standard*, February 9, 1990. For further details.

³⁵ “Does Anyone Care for Timber”, letter to the editor, by Marilyn Stamps, *Eureka Times-Standard*, February 11, 1990.

³⁶ “No Change in Redwood Plans; Officially, Headwaters Forest to be Logged”, by Mike Geniella, February 21, 1990.

³⁷ “‘Summit’ Spells Ominous Watershed for Headwaters”, by Greg King, *Earth First! Journal*, Eostar / March 22, 1990.

Judi Bari concurred, saying that, “The (politicians and owners) just want things to cool down; meanwhile the plunder continues.”³⁸

Darryl Cherney likewise warned, “When the five arch enemies of the forest get together to decide the fate of our ecology, people should worry. There was not one environmentalist, biologist, sawmill worker, logger, spotted owl, black bear, or even a redwood tree represented at these negotiations.”³⁹

Betty Ball called the agreement “A chink in the armor (of Corporate Timber) but (only a small) chink.”⁴⁰

Only Gail Lucas seemed moderately favorable towards the pact, declaring, “It’s encouraging that industry, although reluctantly, has decided to face some of these problems, and we thank the three legislators for forcing them to move,” but she also warned, “Promises are cheap. We look forward to industry’s fulfillment of this agreement through legislation.”⁴¹

This wasn’t a case of sour grapes either. The lawmakers hadn’t addressed any substantive environmental issues, such as L-P’s and P-L’s accelerated logging’s effects on habitat, fish runs, and global climate, or their continued discharge of toxic emissions and effluents. The “pact” wasn’t even legally binding.⁴² Indeed, it was little more than “a gentleman’s agreement.” No laws had been passed; no legislative action was taken; not even a record of the discussion was recorded.⁴³ Darryl Cherney later joked, that the three politicians, Merlo, and Hurwitz had scribbled the agreement on a napkin, blown their nose on it, and then left it for the busboy; this wasn’t far from the truth.⁴⁴

Most of the points of the actual “agreement” were essentially meaningless. L-P’s new Ensenada milling facility was not engineered to accept either raw logs or chips—only rough lumber. With the domestic lumber market suddenly booming due to the now impending listing of the Northern Spotted Owl as “threatened” and the possibility that *Forests Forever* and *Big Green* might pass, L-P could instead export chips or pulp and turn a tidy profit by doing so. Further, it made no difference to the workers or the forests if L-P supplied local mills, Mexican mills, or even Siberian mills (as was now being discussed) with any of its logs, because either way, the company would likely go on logging its 500,000 acres to infinity no matter who received the timber. Greg King described the prospect of L-P’s promise to support economic development

³⁸ “Big Timber’s Foes Not Calmed by Agreement”, by Mike Geniella, *Santa Rosa Press Democrat*, February 10, 1990.

³⁹ “Activists Protest Timber Agreement”, by Mike Geniella, *Santa Rosa Press Democrat*, February 13, 1990.

⁴⁰ Geniella, February 10, 1990, op. cit.

⁴¹ Geniella, February 10, 1990, op. cit.

⁴² Geniella, February 10, 1990, op. cit.

⁴³ “‘Summit’ Spells Ominous Watershed for Headwaters”, by Greg King, *Earth First! Journal*, Eostar / March 22, 1990.

⁴⁴ “Solutions to the Timber Wars”, by Darryl Cherney, *Anderson Valley Advertiser*, June 26, 1991. John Campbell confirmed that the “deal” was *indeed* written on a napkin. It would have been a stunningly unprecedented development for such a deal to have any legal standing.

on the North Coast, and encourage the increase of “light industry” (as Doug Bosco had suggested), as “frightening,” which was an understandable reaction given L-P’s pollution of the water and air from their milling and pulp operations already. What additional maladies would their oil, gas, weapons, road construction, and toxic waste disposal subsidiaries bring to the area? What more would “El-Pio” do to Mendocino (not to mention Del Norte, Humboldt, Lake, Siskiyou, Sonoma, Tehama, and Trinity Counties)?⁴⁵

There was little question that P-L’s end of the deal was no less smoke and mirrors. There was no currently *approved* THP to log Headwaters Forest (three were pending approval, but were likely to be rejected in the courts), and though a moratorium on logging there might be considered “a victory”, one only had to examine the fine print of the deal to note that P-L stipulated that if it were prevented from logging any of its other old-growth stands—either by lawsuits or the US Fish and Game Department—the moratorium would be nullified. Additionally, Maxxam was now contending that Headwaters was now worth \$750 million, a price that almost equaled their entire purchase price for Pacific Lumber in 1985, and \$16 million more than the latter’s total assets at the end of 1988. The supposed audit to ensure that Maxxam not cut more than double P-L’s pre-takeover logging volume was equally pointless, as Maxxam had been logging old growth at *triple* the old P-L rate for more than five years, making a million dollars of profit in the process, and liquidating almost 40,000 acres of forest. Maxxam had also sold off several the old Pacific-Lumber’s assets. The audit would do nothing for either the workers or the health of the forest, and P-L’s agreement not to export any logs was not a change at all, as the company logged many of those trees in Scotia, and what it didn’t mill “in house” it sold to six other local mills.⁴⁶

The most useless provision in the “deal” was P-L’s agreement not to clear cut any of its holdings, because the company had a variety of equally destructive methods available to it which were almost as detrimental to the health of the ecosystems that they already used. The old P-L had used a “seed tree” harvesting system, in which 70% of a tract’s standing board foot volume (which equaled roughly half of the trees) was logged. Initially, when Maxxam took over, PL switched to clear cutting, until two years of public outcry and legislative action forced Maxxam to curtail the practice. State Assemblyman Byron Sher’s naïvely negotiated deal (in conjunction with Dan Hauser) with the company in 1987 to switch to “selectively manage” virgin old growth stands in exchange for the former’s agreeing to drop pending legislation banning clear cutting. Now, Maxxam was using a *modified* “seed tree” system to log the tracts already once logged by P-L under this method, without any acreage limitations, thus creating several-thousand-acre clear cuts by default. At the rate PL was cutting at this time, all of P-L’s remaining 56,000 acres of old growth forest would be liquidated by 1995,

⁴⁵ “‘Summit’ Spells Ominous Watershed for Headwaters”, by Greg King, *Earth First! Journal*, Eostar / March 22, 1990.

⁴⁶ King, March 22, 1990, op. cit.

regardless of the methods used to harvest them. Sher, realizing that he had been had, attempted to reintroduce his anti-clearcutting bill only to have it defeated in committee by Dan Hauser. Now the latter was asking the public to trust him (along with the others) and Maxxam. It was no wonder environmentalists sensed danger.⁴⁷

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Many Pacific Lumber workers were no less incensed by the alleged “deal” because, despite all of Maxxam’s rhetoric about how the new Pacific Lumber still took care of its workers, the agreement did nothing to address the insider trading Maxxam employed to acquire Pacific Lumber in the first place, nor did it address the matter of the insecure pension fund. Still dealing with the fallout of the Maxxam takeover, a group of Pacific Lumber workers, led by Pete Kayes, now a dues paying member of IWW Local 1, and five others had been organizing to try and file a class action lawsuit against Maxxam for essentially stealing it.⁴⁸ Testifying before the United States Senate Labor Subcommittee Hearing on Pension Raiding Risks on behalf of his fellow workers, retirees and their spouses on February 13, Lester Reynolds declared:

“In October 1987 Senator John Dingell’s committee held hearings on the Pacific Lumber takeover. To my knowledge today’s hearing is only the second federal government hearing focusing on the Pacific Lumber takeover. I would like to see further investigation by the Justice Department. There are many questions that need to be answered. Was there any stock parking on the part of investor Boyd Jeffries, and what roles did Drexel Burnham, Michael Milken, and Ivan-Boesky play in the takeover? The firm of Salomon Brothers was hired to advise the Pacific Lumber Company’s old Board of Directors. They said the stock was worth \$60 to \$77 a share, so why was it sold at \$40? What happened to the 80% supermajority vote by shareholders required to approve the merger?

“(S)ince the surprise buyout in 1986 by Charles Hurwitz and his Maxxam Corporation, Pacific Lumber has more than doubled the rate of cut in order to pay Hurwitz’ junk bond debt. I have worked more overtime in the last four years than in my first thirty. Since the takeover, the work-force has grown from around 900 to 1,300 employees. Local environmental groups have waged a bitter fight over the company’s clearcutting and plans to log in the heart of the last unprotected virgin redwood forest in the world. Whether the timberland is cut at the current rate or turned into a wilderness area, there will be job losses.

“In addition to facing dwindling employment in the future when the old growth is all gone, our small community is facing a possible problem with

⁴⁷ King, March 22, 1990, op. cit.

⁴⁸ “Minutes of the February 1990 IWW Local #1 General Membership Branch meeting”, recorded by Judi Bari, February 4, 1990.

our pensions. Before the takeover, the Pacific Lumber Pension Plan was federally insured through the Pension Benefit Guarantee Corporation, and we got cost-of-living increases every few years.

“At the time of the takeover, our pension fund had an excess of over 60 million dollars. Shortly after the Maxxam tender offer in October 1985, the Pacific Lumber Company Board of Directors tried to change the by-laws in order to protect that 60 million, but only a few weeks later, for reasons that are still unknown, they gave in and agreed to the merger, giving Hurwitz access to the capital. Hurwitz then used the money to pay off the shareholders when he raised his bid from \$38.50 to \$40 a share on a total of \$21.8 million shares. I find it disturbing that a corporate raider can finance a takeover in part by using the target company’s own pension funds.

“After the takeover, the old pension plan was terminated and bids were taken from insurance companies to provide an annuity. First Executive Corporation put up \$343 million for Pacific Lumber junk bonds to help Hurwitz finance the takeover. Then their subsidiary Executive Life was awarded our pension contract, worth approximately \$33 million, despite the fact that Executive Life was not one of the companies recommended by the consultants that Pacific Lumber hired to screen the bids. Also, the Executive Life bid was delivered to Pacific Lumber by a Maxxam official after the deadline.”⁴⁹

In response to Reynolds’s testimony, Labor Secretary, Elizabeth Dole (the wife of then-Kansas Republican Senator Robert Dole) responded that Executive Life’s assets exceeded its liabilities by a significantly comfortable margin and that no insurance company had defaulted on a pension annuity in the 15 years her department had enforced the federal pension statute. She was quickly challenged by subcommittee chairman Howard Metzenbaum, then Democratic Senator from Ohio, who pointed out that the substitution of annuities for federally guaranteed retirement plans had left many retirees with pensions that “may be no more than scraps of paper (which were) backed by an under-regulated insurance industry that plays fast and loose with everything from accounting methods to capital standards.” Considering the lax regulation of securities laws that led to Maxxam’s takeover of Pacific Lumber in the first place, Secretary Dole’s words were not especially reassuring to Reynolds.⁵⁰ It didn’t help inspire confidence either that at precisely the same moment, Drexel Burnham Lambert had just

⁴⁹ “Testimony of Lester Reynolds before the Labor Subcommittee Hearing on Pension Raiding Risks, U.S. Senate, February 13, 1990”, reprinted in the *Country Activist*, May 1990.

⁵⁰ “PL Pension Plan Change Called bad for Workers”, by Randy Wynn, *Eureka Times-Standard*, February 14, 1990.

announced that it was filing for Chapter 11 bankruptcy protection to protect itself from potentially angry creditors.⁵¹

Reynolds had taken a huge risk in journeying to Washington. He had not informed P-L management of his plans, simply asking for a day off “for personal business”. He flew overnight to testify and then flew back to northwestern California almost immediately after the hearing. However, the monorail mechanic’s plans and his testimony found their way into the hands of a *San Francisco Chronicle* reporter, and, unlike the *Wall Street Journal* who had deemed Kelly Bettiga’s damning exposé of Maxxam not newsworthy, the latter publication was quick to reveal Reynolds’s activities for the entire world to read. The mechanic’s supervisors quickly questioned all of his coworkers to find out if they knew anything about his activities. None would cop to knowing a thing, but the next day, after Reynolds’s return, P-L amended the company rules adding the requirement that any employee requesting time off provide a detailed explanation why.⁵² Reynolds kept his job, but soon realized that he had even less security than he originally imagined. Shortly after his return, the NLRB office in San Francisco refused to hear the appeals filed by Pete Kayes and Bob Younger.⁵³ All of the supposed expressions of concern about the workers’ well being by Pacific Lumber management were proving to be nothing more than empty talk. It was just as likely that their pledges not to log Headwaters were nothing more than that also.

* * * * *

Meanwhile, Earth First! refused to sit still and allow the politicians to steal their thunder. On February 12, 1990, 75 protesters organized a roving demonstration in Eureka that targeted all three offices of the public officials that had met behind closed doors with Hurwitz and Merlo.⁵⁴ First they marched to Doug Bosco’s office, trailed by a group of police in cars.⁵⁵ A handful of demonstrators temporarily managed to gain access before being literally pushed out while the crowd chanted “No more closed doors!” At Barry Keene’s office, one of Keene’s aides attempted to see what all of the hubbub was about only to find herself debating the issue with an Earth First!er dressed as a bear. When the demonstration reached Dan Hauser’s office, they decided to put an end to closed door meetings by literally taking the assemblyman’s door off of its hinges.⁵⁶ Hauser’s aide, Sandra Corcoran conceded that the Earth First!ers, in spite of their militancy had nevertheless been completely nonviolent, even going so far as

⁵¹ “Struggling Drexel Files for Bankruptcy Protection”, *UPI Wire, Eureka Times-Standard*, February 14, 1990.

⁵² Harris, David, *The Last Stand: The War between Wall Street and Main Street over California’s Ancient Redwoods*, New York, NY, Random House, 1995, pages 351-52.

⁵³ “PL Employees Lose Labor Appeal”, *Eureka Times-Standard*, February 22, 1990.

⁵⁴ “No Deal Assholes”, *Ukiah Earth First! Newsletter*, March 1990. Bari is not actually credited, but the text almost matches, word-for-word, Bari’s description of the event in “1990: A Year in the Life of Earth First!”, sans details.

⁵⁵ “Earth First! Stumps Against PL Pact”, by Rhonda Parker, *Eureka Times-Standard*, February 13, 1990.

⁵⁶ “No Deal Assholes”, *Ukiah Earth First! Newsletter*, March 1990.

the put the door back in place after they had made their point (though they had to borrow a hammer from her to do so).⁵⁷ Darryl Cherney explained to reporters, “P-L is giving up nothing. Number one, they have no approved timber harvest plan, and number two, if they did, it would be challenged by a host of lawsuits.”⁵⁸

On the very next day, February 13, 1990, in the early afternoon, a group of Earth First!ers ambushed one of Don Nolan’s logging trucks on California State Highway 36 at Alton, loaded down with three huge old growth logs heading for Scotia, as it approached the junction with US 101. The demonstration had originally been planned to take place at John Campbell’s office in Scotia, but word leaked out prompting the change of venue.⁵⁹ When the truck stopped at a stop sign, seven demonstrators exited a nearby van and quickly ran out in front of the truck and placed themselves in front of its radiator grill, creating a blockade. The police had been tipped off about the action and were already waiting in two squad vehicles at the interchange, but they were unable to act fast enough to prevent it. At that point, a second wave of fifty Earth First!ers raced across the highway to the impeded truck from their vehicles which they’d parked at the nearby US 101 Café. Five of them then rapidly climbed the truck, chained themselves to the straps on the logs, and unfurled a banner reading “SAVE THE ANCIENT FOREST,” while the rest formed a line across the highway holding signs with slogans such as “No Compromise”, “No Whitewash”, and “No Shady Deals”. Darryl Cherney, costumed in a large blue paper maché globe of the Earth, strumming his ubiquitous guitar, with the assistance of Larry Evans and Judi Bari (playing her fiddle) led the crowd in songs such as *Earth First!*, *Where are We Gonna Work When the Trees are Gone*, and *Maxxam’s on the Horizon*.⁶⁰

Don Nolan himself arrived at the scene in his pick-up truck. Nolan, an outspoken TEAM spokesman, made no secret of his hostility to the environmental movement.⁶¹ He had recently been quoted in the press as having stated, “the environmentalists don’t care about community. They’re trying to destroy us. When left-wing bushy haired people dress up like trees and sing songs, I don’t like it.”⁶² Showing that he meant it, Nolan insisted that the driver take off with the demonstrators still chained to it, but the police intervened. When some of the other truckers attempted to threaten the Earth First!ers with their cheater-bars, the police again prevented it. At one point, a

⁵⁷ Geniella, February 13, 1990, op. cit.

⁵⁸ Parker, February 13, 1990, op. cit.

⁵⁹ “Earth First! Protest Ends With Arrests”, by David Forster, *Eureka Times-Standard*, February 14, 1990.

⁶⁰ “Blockade at Highway 36”, by Lincoln Pierce, *Country Activist*, March 1990.

⁶¹ “No Deal Assholes”, *Ukiah Earth First! Newsletter*, March 1990.

⁶² “North Coast Split on Old Growth Trees”, by Jane Kay, *San Francisco Chronicle & Examiner*, Sunday January 21, 1990. Judi Bari had also quoted Nolan as having said, “I hope the pendulum swings back and gives the property owners more rights over outsiders who aren’t informed. My opinions come back from my ancestors, who protected the land from Indians, bears, and fire. This belief that you’re just the custodian of the land, I don’t support it. I pay taxes, I think I own it,” but this statement was actually uttered by fellow contract logger, *Kent Holmgren*, and quoted in the same article.

counterdemonstrator managed to seize hold of the banner and pull it down from the truck only to watch the Earth First!ers replace it with a spare.⁶³ By this point, the traffic on Highway 36 had backed up all the way to Hydesville, about 18 miles to the east.⁶⁴ Most drivers, passing by on Highway 101 or 36 honked their horns or raised their thumbs in support of the action.⁶⁵

The Police were dumbfounded, and as they were attempting to regain control of the situation. Finally, the police ultimately climbed up on top of the truck and cut the protesters loose. The activists cheered in solidarity as the six demonstrators, Sam Stroich, Dave Sims, Lincoln Pierce, Artemesia Woods, Elise Clark, and Sparrow, were each arrested in turn. The half dozen were charged with disturbing the peace and resisting arrest, both of which were demonstrably false. Sparrow had been arrested while attempting to interview the driver of the truck, even though reporters from a local TV news station (Channel 6) who were engaged in the same activity, were not. However the police that drove the arrestees to jail were mildly sympathetic to environmental issues and engaged the latter in friendly discussion on the way to the jail. All of the demonstrators were released by the next day.⁶⁶

The authors of the “pact” not surprisingly were especially displeased about the protests. Barry Keene tried to declare that the protests were misdirected by explaining, “the reason the (timber summit) did not include environmental groups is that we were making demands on the timber industry—not on environmentalists. When it’s time to make demands on them, we’ll invite them to be present.”⁶⁷ John Campbell proclaimed, “The Pacific Lumber Company did not expect the radical environmentalists to agree to anything, (but we will) look toward the more constructive element of the conservation movement for a meaningful dialogue,”⁶⁸ suggesting that at least one the actual motivations for the summit was to split the environmental movement. That notion was more or less confirmed by the *Eureka Times-Standard* which opined:

“The pledges (by L-P and P-L to the agreements) are conditional, however on both companies’ abilities to operate in other areas free of the interference that environmentalists’ running battles with (sic) have created in the past several years...The real question is a simple one. Do the environmentalists want to save the old-growth forest, or do they want to halt all cutting of trees?”⁶⁹

⁶³ “Blockade at Highway 36”, by Lincoln Pierce, *Country Activist*, March 1990. The photograph (by David Cross) on the cover of the Common Courage Press edition of *Timber Wars*, by Judi Bari is taken from this action.

⁶⁴ “‘Human Chain’ Stops Timber Truck”, by Mike Geniella, *Santa Rosa Press Democrat*, February 14, 1990.

⁶⁵ Pierce, March 1990, op. cit.

⁶⁶ Pierce, March 1990, op. cit.

⁶⁷ Forster, February 14, 1990, op. cit.

⁶⁸ Parker, February 13, 1990, op. cit.

⁶⁹ “Timber Pact Offers a Chance for Talks”, editorial, *Eureka Times-Standard*, February 18, 1990.

Again, nobody had actually proposed an end to all logging, but evidently any form of timber harvesting that didn't conform to corporate capitalist standards was "off the table" as far as the mainstream opinion was concerned.

These protests also stirred up some strong reactions in the local community. Candace Boak published an angry (and very poorly edited) retort including statements such as:

What is so brave, and newsworth (sic) about stepping in front of a stopped truck?...Even my children have done it, many times...We all know you are just spoiled brats, who are starved for attention. If it's press coverage you want, go for the big time, we are tired of it...to do this you need to do something really brave. Next time, try doing it at the 25 mph corner at the top of the hill, a few miles back, now that's both brave and newsworthy...If you kids really want to play on the log trucks, why don't you just give Mr. Nolan a call, I'm sure he would gladly park a truck at the 101 Cafe and let you play...You said Mr. Cherney led the group in songs such as *Where are we Gonna Work When the Trees are Gone?*...Excuse me, but you don't work now, so what difference is it to you? I'm sure most of you have never worked a day in your life.⁷⁰

Local resident George Stockwell wrote a similarly inane letter to *EcoNews*, claiming to be concerned about environmental issues, particularly the plight of endangered fish, but disagreed with the truck occupation on Highway 36. While this might have been an honest opinion, Stockwell saw fit echo Candy Boak's standard recitation of Corporate Timber talking points and hysteria about "unwashed-out-of-town-jobless-hippies-on-drugs."⁷¹ Perhaps the most ridiculous analysis of Earth First! in general, made before the action on Highway 36, but no doubt shared by many who opposed it came from *Humboldt Beacon and Fortuna Advance* editor Glenn Simmons, who repeated congressman John Doolittle's dubious assertion—with a straight face—that Corporate Timber apologists outnumbered Earth First!ers by a ratio of 1000:1. No doubt Simmons willingness to accept full page paid ads from the likes of L-P and P-L didn't disqualify him from making such a judgment, in his opinion.⁷² The *Eureka Times-Standard's* editorial standards were not much higher, a point finally challenged by letter writer Howard L. Selman in opposition to that publication's constant barrage of full paid advertisements from P-L.⁷³

The "timber pact" wasn't quieting the growing militancy of the mainstream environmentalists either. On February 21, 1990, the Sierra Club announced that they were

⁷⁰ "A Cute Letter", by Candy Boak, *Country Activist*, April 1990.

⁷¹ "Annoyed by Ecoradical Tactics", by George Stockwell, *EcoNews*, April 1990.

⁷² "Doolittle Makes a Point", editorial by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, February 8, 1990.

⁷³ "PL Advertisement is of Concern", letter to the editor by Howard L. Selman, *Eureka Times-Standard*, March 10, 1990.

proposing comprehensive set of strengthened and enlarged designations for national parks and wilderness areas as well as the creation of a new ecological preserve network. The proposal came in response to efforts by Democratic Senator Brock Adams (representing the state of Washington) and Republican Senator Mark Hatfield (representing Oregon) to negotiate yet another timber “compromise” for their respective states. The lawmakers’ proposal lowered timber sales on national forestland there to 3.85 from over 4 bbf annually, but the Sierra Club argued that these cuts did not go far enough to ensure the sustainability of the affected forests, and demanded a reduction to between 2.9 billion bbf at most to as little as 2 billion bbf. The Sierra Club registered support for additional proposals from Oregon and Washington lawmakers calling for stronger controls on log exports from public lands and taxing raw log exports from private lands. There was no indication, at least yet, that the Sierra Club would be deterred in demanding stronger controls on timber harvesting in exchange for supposed concessions from Corporate Timber.⁷⁴

The next day, the *San Francisco Chronicle* revealed that Pacific Lumber’s critics had been telling the truth when the latter had described the company’s accelerated harvest rate as having been done to service Maxxam’s takeover debt. The article revealed that the company was exploring the possibility of a long term bank loan to help pay off \$580 million still owed in junk bond debts. Campbell confirmed the reports, but would not reveal the details, and described the prospect as “promising”, elaborating, “If the restructuring plan is put into place, it will be beneficial to the long term viability of the company.” The potential new loan would come from banks or insurance companies and would not come due for several decades as opposed to the much closer deadline of several years for the junk bond debts. The *Chronicle* attributed the information in their article to “unnamed sources,” and though it was perhaps not the intent of the San Francisco daily to provide further grist for the environmentalists’ mill, it clearly revealed that every one of Campbell’s, Stephens’s, and Galitz’s denials that the increased harvesting had been done to service the debt had been a lie.⁷⁵

Barry Keene, facing an election in which he might lose by being swept away in a populist wave, was showing signs of desperation. On February 24, at an all day conference organized by the Redwood Region Conservation Council, he announced that he was drafting legislation to serve as a compromise between *Forests Forever* and *Big Green* on one side and *Big Stump* on the other. Before a large crowd at the Eureka Inn composed of a “cross section” of the North Coast timber industry from small local operators to large companies, the lawmaker declared:

“If the timber industry wants to proclaim itself the good citizen, it won’t block the legislation’s success, and if environmentalists are interested in real solutions, they too will abandon any ‘my way or the highway’ mindset and

⁷⁴ “Sierra Club Urges New Harvest Plan”, *UPI Wire, Eureka Times-Standard*, February 22, 1990.

⁷⁵ “PL Loan Could Cut Harvest Rate: Plan Would Restructure Maxxam Junk-Bond Debt”, by David Forester, *Eureka Times-Standard*, February 23, 1990.

cooperate for the greater good of all. (My) bill will establish a framework to assure that the industry is, in fact, managing resources for the long term. The answer isn't tucked within the words of one of these initiatives or stashed away in some miracle court decision. It's found in the core of sound public policy making...

"The two companies made concessions ostensibly in good faith. We'll put that good faith to the test in the weeks and months to come, but we cannot do so unless responsible environmental groups also cooperate in demonstrations of good faith. It's time to begin asking the environmental groups to make necessary concessions if they are to become a part of the process. We need to ask them to shed some of the crusading mentality in favor of genuine environmental progress."⁷⁶

It was, however—in the words of Bruce Anderson, "too little, too late." Demonstrating that none of the three timber corporations (or Simpson or ERS for that matter) had *any* intention of slowing down their harvesting rates whatsoever, the combined forces of Corporate Timber filed an unprecedented barrage of THPs *all within a span of a fortnight*.

* * * * *

Earth First! - IWW Local 1 decided it was time to take command of the narrative once and for all, boldly and unapologetically. Fortunately, due to a combination of extremely fortuitous timing and the thoughts of a random drifter named Fred Moore—who was better known as "Walking Rainbow"—it didn't take them long to hatch the needed idea, and it had a catchy name too, with deep historical roots: Mississippi Summer of the California Redwoods, or "Redwood Summer" for short. Walking Rainbow had proposed the idea to Judi Bari when he showed up, out of the blue, in January 1990.⁷⁷ Moore was talking to anyone who would listen, and somehow he encountered Judi Bari following the Douglas Society forum. Bari was interested and suggested he contact her later that day, while she was at the hospital caring for her 4-year old daughter, Lisa, who was sick. Moore conversed for Bari for about five hours that night, "4 hours and 59 minutes (of which) was craziness and one (of which) was the seed for 'Freedom Riders for the Forest'."⁷⁸ Darryl Cherney recalls how the process evolved from there:

"Fred Moore (Walking Rainbow) had no idea that we'd ever conducted a protest or ever done civil disobedience before, and thinking that we were

⁷⁶ "Keene Hopes His Legislation Will Defuse Timber Initiatives", by David Forester, *Eureka Times-Standard*, February 25, 1990.

⁷⁷ "An Interview With Redwood Summer Strategist and EF! Musician Darryl Cherney", by Sharon Seidenstein, *Ecology Center Newsletter*, October 1990.

⁷⁸ "Hot Tubbin at Harry's: Anna Marie Stenberg", interview by Lynne Dahl, *New Settler Interview*, issue #54, December 1990.

complete novices suggested we emulate the Civil Rights workers in Mississippi and call for outside help. Fred described himself as a peace-walker, although he always seemed to be driving. I always think of him as Driving Rainbow. Judi called me up with the idea and we agreed to give it a try and in fact, coincidentally or incidentally, the Student Environmental Action Coalition (SEAC) was having a nationwide protest for the state of the forest in late February of (1990). We got ourselves on the speakers' roster for the Sacramento rally and we made up flyers announcing 'Mississippi Summer in the California Redwoods'.⁷⁹

On Monday, February 26, 1990, Judi Bari, Darryl Cherney, and Greg King on behalf of various North Coast Earth First! groups issued the following statement:

"It's going to be a long hard summer in Northern California. The public is outraged over the timber companies' policy of exterminating the forest for short-term profit, and the corporados know they're not going to get away with this much longer. Whether it's *Forests Forever* or something weaker, it seems inevitable that *some* restrictions will soon be passed.

"This summer will be a race by L-P, G-P, and Maxxam to take every tree they can as fast as they can before any regulations can take effect. It looks like a total blitz—over 2,500 acres of timber harvest plans have been filed here in the last two weeks alone. And it doesn't seem like we can stop them by ourselves.

"Back in the early 60's, the Civil Rights Movement found themselves in a similar situation in Mississippi, unable to break the stranglehold of the powers-that-be, but backed by substantial public support both locally and nationally. What they did was to put out a nationwide call for people to come ride the buses to Mississippi and help challenge the rule of racism. We need to do the same thing here now to save the forest. We are putting out a call for Freedom Riders for the Forest to come to Northern California this summer and defend the last of the redwoods with nonviolent civil disobedience. This will be a major project, and will require the support of local people to help feed, house, and guide out-of-town demonstrators."⁸⁰

Earth First!ers also intended to call upon residents involved in local watershed councils to assist in organizing demonstrations against corporate timber. "We'll be contacting people who live in all the local watersheds, from Big River to Schooner Gulch, because they know the areas intimately and want to save them," declared Bari.⁸¹

⁷⁹ Seidenstein, October 1990, op. cit.

⁸⁰ "Mississippi Summer", press release, by Judi Bari and Darryl Cherney, *Country Activist*, March 1990.

⁸¹ "Mississippi Summer in the Redwoods", by Bruce Anderson, *Anderson Valley Advertiser*, February 28, 1990.

Many of the locals, including the back-to-the-landers in the Mateel watershed at the very least, had no objections to the proposed summer of actions. Indeed, the only note of concern among those not associated with Corporate Timber came from the principle authors and supporters of *Forests Forever*—notably Robert Sutherland and Gail Lucas—who worried that the timber corporations targeted by the measure might use Mississippi Summer as a negative association. Cherney countered these fears by pointing out that the corporations were likely to do this whether or not Earth First! called for Mississippi Summer of the California Redwoods anyway.⁸² This assertion mostly reassured the folks at EPIC, but not Gail Lucas, and this would have ramifications down the road.

Shortly after the announcement, Bari and Cherney traveled to Sacramento to address the aforementioned national meeting of the Student Environment Action Coalition (SEAC). Student representatives from ten universities from as far south as UCLA and San Diego State and as far north as Humboldt State University were “very enthusiastic” about the proposed summer of direct action. SEAC agreed to publish notice of the Mississippi Summer of the California Redwoods in their national newsletter, which would be seen by the organization’s chapters nationwide. Students would be expected to arrive on the North Coast in early June.⁸³

Almost immediately, Corporate Timber condemned the idea. Pacific Lumber spokesman David Galitz denounced it as, “An end run (around the timber pact) to garnish media attention,” as well as a bunch of irresponsible children saying, “Let’s have fun on our summer vacation.” He also offered what amounted a veiled threat, declaring, “When their activities reach the point that it seems to threaten our way of life, our very lifestyle, then let me tell you these folks up here are going to feel very threatened.” Galitz, had—by contrast—not seemed at all worried by Maxxam’s takeover almost five years previously.⁸⁴

Louisiana-Pacific’s Shep Tucker called for the national media to boycott the campaign, opining, “I don’t think it’s legitimate news. I think the average person up here is tired of hearing and seeing this stuff.”⁸⁵

Meanwhile, Don Nelson, once again taking on the role of local spokesman for Georgia-Pacific by default, reacted hostilely, firing off a (poorly edited) letter that he intended to send to all college campuses in the United States in rebuttal to the letter sent out by SEAC, declaring:

“People who encourage this kind of action by innocent and inexperienced students should be arrested for conspiracy to assault those students.

⁸² Harris, op. cit. pages 312-13.

⁸³ Bruce Anderson, February 28, 1990, op. cit.

⁸⁴ “Redwood Wars Ready to Escalate: Coast Braces for Influx of Protesters”, by Mike Geniella, *Santa Rosa Press Democrat*, March 25, 1990.

⁸⁵ Geniella, March 25, 1990, op. cit.

“No person is safe who enters a logging site or drives on a private truck road without permission...

“Those who incite them to lay down their bodies for the trees are their murderers if they are killed, their attackers if they are injured.

“I urge all College Councilors [sic] and Teachers [sic] who are aware that their students are being solicited to spend the summer protesting logging [sic], do all in their power to discourage such a hazardous adventure.

“California’s Legislature is struggling to resolve the conditions environmentalists are concerned about and there are several initiatives being readied for the November ballot as well. There is no reason for civil disobedience to save the redwoods. The human condition that may warrant civil disobedience is the threat to workers, jobs, homes and families that is caused by groups like Earth First!. Workers live in every day [sic] fear of loss of job, home and family caused by the ‘Woolies from the Woods’.⁸⁶

Not to be outdone, Barry Keene admonished the environmentalists—specifically EPIC and Earth First!, though he didn’t directly identify them—by declaring:

“If environmental groups want to spare Headwaters Forest they should consider giving up some of their lesser objectives so that Pacific Lumber does not need to shut down its mills. If they don’t, they are taking pressure off of P-L and allowing P-L to shrug its shoulders and say, ‘We tried,’ and put the Headwaters Forest to the chainsaw.”⁸⁷

However, Pacific Lumber had no intention of keeping its promise one way or the other. Although the company had supposedly agreed to a two-year moratorium on logging Headwaters Forest, they still had a trio of THPs (1-88-462, 1-89-762, and 1-89-793) still pending with the CDF and even after the conclusion of the so-called “pact” none of them had been withdrawn. In fact, the CDF confirmed that the THPs were still moving forward towards a review. When environmentalists raised an outcry about this, the five parties who crafted the pact reminded them that the moratorium on Headwaters was contingent upon noninterference with other THPs, a point which an exasperated Betty Ball angrily rebutted, stating:

“They’re trying to put the responsibility for the fate of Headwaters on the shoulders of the tree huggers...What an insult! The courts clearly haven’t thought we are off the wall or frivolous. If a timber harvest plan has flaws

⁸⁶ Letter to the editor, by Don Nelson, *Anderson Valley Advertiser*, April 4, 1990 (“Don Nelson Flips Out”), *Willits News*, April 4, 1990 (“Dangers in the Woods”), and *Mendocino Beacon*, April 5, 1990, (“It’s Dangerous”).

⁸⁷ “Keene Hopes His Legislation Will Defuse Timber Initiatives”, by David Forester, *Eureka Times-Standard*, February 25, 1990.

in it, and is not environmentally sound, then it's our obligation to prevent logging from happening until it's done right."⁸⁸

John Campbell made an ostentatious display of feigning ignorance, claiming that the moratorium on Headwaters was still in place. He explained,

"After all of this work is done, and if the plans are approved, we still won't log because we've agreed not to for the two-year period...The state wants fairly extensive wildlife research in that area to determine whether or not the particular area has critical habitat, and that could take many, many months."⁸⁹

Campbell's assurances were not likely to appease anyone critical of Maxxam, however. Greg King, in particular, bluntly questioned how the deal could be called a "moratorium" unless the logging plans were completely withdrawn.⁹⁰

The *Santa Rosa Press Democrat*, carrying the water for the three lawmakers who had brokered the "pact" excoriated both P-L and the environmentalists, opining:

"It is disappointing—but not surprising—that a timber industry truce has come unstuck in record time...The immediate sticking points are Pacific Lumber's refusal to withdraw applications to harvest timber in the Headwaters Forest of Humboldt County...and Environmental groups' refusal to stop raising legal challenges to harvesting plans, despite lawmakers' promises to work to discourage legal challenges...These obstacles only symbolize the gulf of distrust and selfishness that separates the interested parties."⁹¹

The *Press Democrat's* attempt to assign blame to both sides equally was grossly unfair, however, not to mention dangerous, because the environmentalists could rightfully claim that their actions were the pinnacle of selflessness, especially given their willingness to eschew the comforts of lucrative employment, forgo job security, and even risk arrest in order to protect the planet from certain destruction. Meanwhile, Harry Merlo and Charles Hurwitz continued to rake in record earnings as they continued their plunder of the redwoods unabated.

In fact, no sooner had the environmentalists been scolded publicly when they were immediately vindicated. Within a week of the latest back-and-forth accusations leveled

⁸⁸ "No Change in Redwood Plans; Officially, Headwaters Forest to be Logged", by Mike Geniella, *Santa Rosa Press Democrat*, February 21, 1990.

⁸⁹ "Pacific Lumber: We Gave Our Word; No Logging in Headwaters for Two Years", by Mike Geniella, *Santa Rosa Press Democrat*, February 22, 1990.

⁹⁰ Geniella, February 21, 1990, op. cit.

⁹¹ "Timber Agreement Comes Unstuck", editorial, *Santa Rosa Press Democrat*, February 22, 1990.

by the environmentalists and the brokers of the “deal”, three Earth First! hikers discovered a 17-ton tractor bulldozing a one-mile logging road along the ridge top leading into the heart of Headwaters Forest. They quickly notified Judi Bari by radiophone, who then alerted the media and activists throughout California. As described by Greg King,

“The new road runs along a ridge separating the grove’s primary streams, Little South Fork Elk River and Salmon Creek, and provides direct access to timber harvest plans for 230 acres in Salmon Creek and 165 acres in Little South Fork. The former THP (1-88-462) was subject of a lawsuit brought by EPIC and Sierra Club and is now in State Appellate Court, and may be approved by this court at any time. The California Department of Forestry may decide by the end of March whether to approve or deny the latter THP (1-89-762) as well as a 399 acre old growth cut on Salmon Creek, (THP 1-89-793).”⁹²

Within a week, hundreds of people from as far south as the San Francisco Bay Area and as far north as Portland, Oregon, pledged to journey to Humboldt County to take direct action to stop further construction of this road and destruction to Headwaters.⁹³ If this was the response for one, albeit important grove of redwoods, it would no doubt pale in comparison to Redwood Summer.

More to the point, the existence of the road was certain proof that—once again—John Campbell had been lying in service of Maxxam. On Friday, March 2, 1990, CDF director Len Theiss announced that on that day, CDF foresters would inspect the ridge top road. However, without even having seen the road himself, Theiss declared that the road was a “trail to allow access for wildlife biologists conducting studies” in Headwaters Forest. When challenged on the idea that a 20-foot wide, one mile long skid road was excessive overkill for a trail, Theiss simply stated, “it’s a difference of opinion.” However, by March 5, Theiss had yet to consult with his CDF inspector, Steve Wert, and when confronted with this information could only state, “The only thing I know is what I read in the paper. The *Santa Rosa Press Democrat* indicated that there were no violations of the rules, that the road was, in fact, a trail so that they would get the biologists to do the surveys necessary in Headwaters. That’s about the extent that I know.” Wert was unavailable for comment.⁹⁴

That same day, Barry Keene’s forestry consultant, Andrea Tuttle issued the following statement:

“I called and was told by Pacific Lumber what the road was and then we had that confirmed by both Fish and Game and the Department of

⁹² “The Latest on Headwaters Forest: Maxxam Violates Accord, Dissects Headwaters”, By Greg King – *Country Activist*, March 1990 and *Earth First! Journal*, Eostar / March 22, 1990.

⁹³ King, March 22, 1990, op. cit.

⁹⁴ King, March 22, 1990, op. cit.

Forestry and we feel that the matter is closed...It is indeed a road, but it is through brush. There were no trees cut to create access so that the negotiated wildlife studies could be conducted...It is an approved, agreed upon cutting of a road...According to Fish and Game and (the CDF), there were agreements that the area was too dense for anyone to physically get in there to do the studies...It's difficult to physically get access."⁹⁵

However, one hiker who found the road insisted that this so-called "trail" couldn't be anything but a means for quickly hauling harvested logs out of Headwaters Forest:

"No self-respecting biologist would bulldoze a road or trail of any kind along a crucial ridge top habitat migration corridor in order to study wildlife there...This notion is ridiculous, and clearly the road is intended mostly to allow quick and easy access for fallers should approval of adjacent logging plans come any time soon."⁹⁶

Another hiker conceded that the ridge top brush was thick, but still denounced the possibility that it the road was simply a wildlife trail. "I've carried 70 pounds in a frame pack along that same ridge...it's not impossible, and it's certainly more desirable than cutting a road. (But) what wildlife is going to hang around in an area when a machine as loud as a rock concert and as destructive as a Sherman tank comes rolling into its home?"⁹⁷ The three Earth First! hikers, who referred to themselves as the "Mud Babies Affinity Group" videotaped the road and submitted the footage to the Sierra Club.⁹⁸ The latter filed suit to halt further construction of the road⁹⁹, the suit was successful, forcing Maxxam to abandon the project, but by that point the horse had broken through the barn door.¹⁰⁰ There was now no doubt whatsoever, that the supposed timber summit had been a complete fraud. It was indeed shaping up to be a long hot summer.

⁹⁵ King, March 22, 1990, op. cit.

⁹⁶ King, March 22, 1990, op. cit.

⁹⁷ King, March 22, 1990, op. cit.

⁹⁸ Bari, January 2, 1991, op. cit.

⁹⁹ "Sierra Club Asks Court to Hear Controversy Over PL Roadwork", *Eureka Times-Standard*, March 14, 1990.

¹⁰⁰ Bari, January 2, 1991, op. cit.

31. Spike a Tree for Jesus

In spite of all of the Corporate Media's claims that both Redwood Summer and *Forests Forever* could potentially polarize timber dependent communities into opposing "green" and "yellow" camps, and despite all of the efforts by Corporate Timber to manifest those divisions, Earth First! – IWW Local #1 continued to slowly gain support and influence among rank and file timber workers on the North Coast. As a result, Judi Bari was invited to participate in a "Labor and the Environment" workshop, called "Bridging the Gap" at the Public Interest and Environmental Law Conference in early March in Eugene, Oregon.¹ Several Earth First!ers from the Pacific Northwest were invited to participate and did, including Karen Wood from various Oregon Earth First! chapters; George Draffan, Mitch Friedman, and Mike Jakubal from various Washington Earth First! groups; as well members of the Save Opal Creek, the Eugene Springfield Solidarity Network (ESSN), and Jeff Debonis of Association of Forest Service Employees for Environmental Ethics (AFSEEE). Oddly, however, no rank and file timber workers received invitations.²

The Labor and Environment Panel consisted of Judi Bari, a university professor whose area of study was physics, and "the owner of a company who (made) fancy yuppie houses out of old growth wood and doesn't want the old growth eliminated." Bari felt that the panel wasn't representative enough, so she gave the organizers the name of a certain rank and file mill worker from Roseburg, Oregon, with whom she had happened to have been corresponding. Gene Lawhorn had recently been speaking publically for the preservation of the Spotted Owl, against the yellow ribbon campaign, and in defense of union timber workers, and Bari intended to cede some of her time to him, because the organizers had not thought to include any actual timber workers on the panel, and they had refused to let Lawhorn be on the panel.³

A week before the conference it seemed as if the AFL-CIO intended to keep both Bari and Lawhorn off of the panel. Bari received a phone call from Paul Moorhead of the Western Council of Industrial Workers (WCIW) who identified himself by name, and said, nastily, "You better not think that you can come to Oregon because you won't find a welcome...If any member of my union talks to you, they'll be out of a

¹ "1990: A Year in the Life of Earth First!", by Judi Bari, *Anderson Valley Advertiser*, January 2, 1991.

² "Notes on the Renunciation of Tree Spiking, unpublished letter, by Karen Wood, March 19, 1989; letter courtesy of Gene Lawhorn's personal archives.

³ "In the Middle of Run Away History: Judi Bari, Earth First! Organizer, Mississippi Summer in the California Redwoods", interview by Beth Bosk, *New Settler Interview*, issue #49, May 1990.

job.”⁴ Moorhead also contacted the conference organizers and the University of Oregon and told them that Bari was an inappropriate speaker for the panel.⁵ He had no real grounds to complain, however, because the WCIW no longer represented any workers in Mendocino County, as its last bargaining unit had been eliminated in 1986. In response to his threats, Bari notified the press and conference organizers. She also contacted the WCIW and requested that they openly debate the issue with Bari (and Lawhorn) at the conference. The conference organizers agreed to the debate, but the WCIW declined the invitation.⁶

Gene Lawhorn would get his chance to speak. There was just one small problem, however. In between the time that Bari had extended the invitation to Lawhorn (who accepted) and the conference, an IWW member in Oregon gave the latter a copy of Darryl Cherney’s album, *They Sure Don’t Make Hippies Like They Used To*, which has four songs on it that include references to tree spiking, all of which are favorable to the tactic. In spite of the fact that Cherney had declared two years earlier that he “would never spike a tree (himself)”⁷, at the same time he had written “pro spiking” songs, including *Earth First! Maid* (set to the tune of *Union Maid*), *They Sure Don’t Make Hippies the Way They Used To*, *Ballad of the Lonesome Tree Spiker* (coauthored with Mike Roselle), and *Spike a Tree for Jesus*.⁸

The last song particularly incensed Lawhorn. In their entirety, the lyrics were:

*Now some say the Romans killed Jesus,
And some say it was the Jews,
And some say that it was King Herod,
And some say it was me and you.*

But when I think of the cross he was nailed to,
And the tree that was logged for the wood,
I realize ‘twas the loggers killed Jesus,
And it’s time that we got them back good.

Chorus

*So spike a tree for Jesus, spike a tree for Jesus,
And Jesus will love you know,
Spike a tree for Jesus, spike a tree for Jesus,
And someday to heaven you’ll go.*

⁴ “IWW Defends Mill Workers”, by Judi Bari and Darryl Cherney, *Industrial Worker*, March 1990.

⁵ Bosk, May 1990, op. cit.

⁶ Bari and Cherney, March 1990, op. cit.

⁷ “Darryl Cherney: a Conversation with a Remarkable Candidate”, by Michael Koepf, *Anderson Valley Advertiser*, (in two parts) April 27 and May 4, 1988.

⁸ These songs are all featured on the album, *They Sure Don’t Make Hippies the Way They Used To*, 1989, by Darryl Cherney;

*Now the logger who cut that old tree down,
He was just going 'long with the mob,
When asked why he did it he answered,
I was just doing my job.*

Chorus

*I don't care what they do with the timber,
As long as they pay me my price,
They can go make a frame to hang a picture,
They can go make a cross to hang Christ*

Chorus

*Now as Jesus he hung on that cross there,
It was not something he liked,
And his last words were "Father I would not be here,
If all of the trees had been spiked."*

Chorus⁹

The lyrics were tongue-in-cheek, but serious sounding enough to upset a mill worker, such as Lawhorn, who had witnessed equipment damage in the mill due to spiked logs. He had already written a speech that he had intended to deliver, but upon hearing the song, he rewrote it. Here, in its entirety (with small grammatical edits), is what Gene Lawhorn said to the panel and the audience, on March 4, 1990:

"I have been working in the wood products industry here in Oregon for five years. I started out at Westbrook Wood Products in Norway. I injured my wrist on the job and had to have surgery. Shortly after I returned to work I was laid off out of seniority when they curtailed a shift. This was my first experience with the caring benevolence of the timber industry towards their workers.

"After several months of unemployment I got hired at International Paper's Gardner sawmill. About a year before I got hired the workers were forced to take wage cuts amounting to \$3 an hour. The Reedsport City Council and the Chamber of Commerce got behind I-P because they threatened to close the mill if workers didn't take wage cuts. But if workers would take cuts, I-P promised to return the wages in the next contract and they promised to be around at least another 20 years. In December of 1987, 1½

⁹ Spike a Tree for Jesus, lyrics by Darryl Cherney, used by permission, from the album, They Sure Don't Make Hippies Like They Used To. The album now contains the following disclaimer: "In 1990, Judi Bari and I renounced the tactic of tree-spiking, because it endangers timber workers. Nevertheless, this CD reissue contains four songs about tree-spiking for historical purposes only. It reflects an energy and time in Earth First! that is worth documenting."

years after the pay cuts and false promises, I-P gave its 400 employees a Christmas present of one week's notice of permanent plant closure due to selling the mill to Bohemia Lumber Co. This was my second experience with the caring benevolence of the timber industry.

"After four months of unemployment I got hired by Roseburg Forest Products and relocated to Sutherlin. After eight months on the job I got my third experience of the caring benevolence of the timber industry towards workers when we were forced to go on strike to keep from taking wage cuts amounting \$1.50 an hour. In a four month long (and very bitter) strike we ended up taking a \$0.60 wage cut (lost) three (paid) holidays, Sunday overtime, and lost vacation time.

"It was during the strike that I started to become vocal about environmental issues when I took notice all the cars and trucks that crossed my picket line had one thing in common. They all were displaying the yellow timber industry support ribbon. To many of us who stood on the picket line the yellow ribbon became a symbol of the scabs and the timber industry greed. Even today—a year after the strike—only a small handful of RFP workers will display the yellow ribbon.

"The strike became a real eye opener for me, so I began to study the environmental issues. The more I learned the more frightened and concerned I became. The poisoning of the rivers, lakes, and oceans; the pollution of the atmosphere, depletion of the ozone layer, the advancing of the greenhouse effect, and the rape and plunder of the world's ancient rainforest all alarmed me, and I began to see that all these things are tied to the profit motive mentality which cut our wages. I became fully aware that workers and environmentalists have more in common than workers and employers. For the sake of the great and holy profit motive of laissez faire capitalism workers and the environment are both being exploited beyond their means to cope, especially in third world developing nations.

"Unfortunately our labor union leaders have chosen to openly join forces with the timber industry. The ink was barely dry on our ignominious contract when the leadership of the two woods working unions and the two paper working unions along with the longshoreman's formed a coalition with the timber industry to fight environmentalists' efforts to get the spotted owl designated as an endangered species, and environmentalists' rights to appeal timber sales in court. Then the leadership called the organization grassroots. They held a timber-labor rally in Salem on September 8th, which less than 500 showed up. The leadership estimated that 5,000 would show up because the timber industry and the paper industry was giving anyone a day off to attend. Two days before the rally I and a couple of

co-workers called a press conference, we denounced the timber-labor coalition as a sellout to workers who just took pay cuts, and asked workers to boycott the rally. The timber-labor coalition caused a lot of bad feeling towards our local leadership within the plant I work at and many other RFP plants.

“To be sure, there are bad feelings towards environmentalists by a vast majority of wood workers. Many are third and fourth generation loggers and mill workers who feel a strong tie to the timber industry and many are frightened by the prospect of losing their jobs. Woodworkers perceive environmentalists as “lazy, barefooted, long-haired hippies who smoke pot, live on welfare, who sneak through the woods in the darkness of night spiking trees.” Many environmentalists on the other hand view wood workers as ignorant narrow minded stooges of the timber industry.

“Of all the environmental groups active the Earth First!ers are the most hated by wood workers and loggers. But I myself admire the courage and direct action tactics of many Earth First!ers. It takes a lot of courage to climb a 200 foot tree and sit for days to protest clear cutting. It takes a lot of courage to block roads with your bodies, or chain yourself to a tree. But to those who spike trees I say you are performing a cowardly violent act which endangers my fellow workers and me. The gap which separates environmentalists and labor will never be bridged as long as trees are being spiked.

“All the ramifications of tree spiking are negative! (1) Spiking endangers wood workers lives; (2) Spiking discredits all environmentalists; (3) Spiking alienates possible support from environmentally concerned wood workers; (4) Lastly spiking provides propaganda ammo for the big guns of the timber industry. Tree spiking must not only be stopped, but henceforth all spiking must be publically denounced by all Earth First!ers if they really and truthfully desire to bridge the gap.

“I myself have had a close call because of a spiked tree. While operating a log splitter, a saw not far behind me hit a spike. Saw teeth and metal from the spike flew around me like shrapnel from a bomb. Mill work is dangerous enough without the added dangers of spiked trees.

“The timber industry wants to cut all the ancient forest they can get away with cutting.

Environmentalists on the other hand want to save all the ancient forest they possibly can. In the middle are the workers who just want to work and partake in the American dream. We face a double edged sword of either working ourselves out of work in the future or losing many jobs now because of environmental concerns. I myself want to save all the ancient

forest we can possibly save, but if I have to lose my job I want other options available for me and others who may lose jobs. Retraining and relocation programs must be made available to any worker who may lose his or her job due to environmental concerns whether it be in the timber industry or the chemical and nuclear industries.

“There will always be enough trees to provide a certain amount of jobs within the timber industry, but not enough to sustain what we have within the industry now for an indefinite period, and certainly not enough to continue the exporting of raw logs.

“The industrialists of the world will continue to poison the rivers, lakes, and oceans; to rape the ancient forest; pollute the air; and play with deadly radioactive substances like an unruly child in a house soaked with gasoline for the sake of the most holy and high God—profits—unless we all—environmentalists and laborers—bridge the gap between us that is wider than the Grand Canyon and deeper than an abyss because of hard headedness, and narrow minded convictions on both sides. Let us all do our part because the world tomorrow is the world we build today!”¹⁰

Lawhorn then admonished Bari to put her money where her mouth was and renounce tree spiking. Without so much as a hint of protest, Bari agreed, and intended to encourage all of Earth First! to follow suit, starting with the Earth First! chapters in northwestern California. To her great surprise, an overwhelming majority of the other Earth First!ers in attendance supported her move and likewise agreed to follow suit.¹¹ The Earth First!ers invited Gene Lawhorn and Dennis Gilbert to hold a further discussion in the students’ law lounge, where they discussed and debated the issue productively and positively.¹² Earth First!er Karen Wood conceded that the tactic was producing more negative results than positive, and that it was but one tactic among many in the arsenal of direct action available. Other tactics, such as civil disobedience, demonstrations, administrative appeals, letter writing and phone campaigns, solidarity with workers, and other forms of ecotage had proven to be far more effective.¹³ Gene Lawhorn agreed, as he later stated:

“Trees, wildlife, fish, birds, the air, oceans, lakes and rivers cannot organize to fight the massive degradation and exploitation they are subjected to, thus environmentally conscious and concerned people must organize to

¹⁰ “Environmentalism and Labor: Bridging the Gap”, speech by Gene Lawhorn, given at the Public Interest Law Conference, University of Oregon, Eugene, Oregon, March 4, 1990; used by permission.

¹¹ Bari, January 2, 1991, op. cit.

¹² “Press Statement on Tree Spiking”, by Gene Lawhorn, April 4, 1990, courtesy of Gene Lawhorn’s personal archives.

¹³ “Notes on the Renunciation of Tree Spiking, unpublished letter, by Karen Wood, March 19, 1989; letter courtesy of Gene Lawhorn’s personal archives.

fight for them. Whether environmentally conscious people be woodworkers, paper workers, Earth First!ers, or mainstream environmentalists, we all must unite to fight not only the degradation of this small fragile planet we co-habit, but to also fight the increased employer attacks upon worker rights, health and safety, wages and benefits. Both battles stem from the same problem, the greed mentality which places profits above the well being of the environment, and the health, safety, and prosperity of the working class. I as a union woodworker, hunter, and fisherman with a family to support have a greater stake in a healthy and sound environment than the Wall Street pencil pushers, or the greedy Northwest timber demagogues who have cut and run from one end of this Nation to the other.”¹⁴

The twenty Earth First!ers present, as well as Gene Lawhorn and Dennis Gilbert reached unanimous consensus that tree spiking must be renounced by Earth First!, at least in northwestern California and Southern Oregon. The alienation being caused by continued advocacy by Earth First! for the tactic, especially since—in northwestern California at least—it wasn’t actually used, was causing more harm than good.¹⁵ It was time to publically rethink it. Doing so would be controversial since tree spiking was deeply ingrained in Earth First! culture.

Nevertheless, a significant chasm *had* been bridged, and it is worth noting that it was mention of the injury to Cloverdale mill worker George Alexander by Barbara Hansen in the February 1988 *Industrial Worker* that had started the process and had brought Earth First! and the IWW to both Gene Lawhorn’s and Judi Bari’s attention in the first place. The various threads of history seemed to be weaving together in just the right way at the right time.

¹⁴ Lawhorn, April 4, 1990, op. cit.

¹⁵ Additional Release by Darryl Cherney, *Mendocino Commentary*, April 12, 1990.

32. Now They Have These Public Hearings...

*Now back in Sacramento town sits the Board of Forestry,
And they log their land, they work their ranches, and they teach in the
universities,
And the nine who sit in judgment as they massacre the trees,
Are Russ and Rose, Small, Berridge and Barnes, Atkinson, Shannon, Walt
and Yee...*

—lyrics excerpted from the *Board of Forestry Song*, by Darryl Cherney, 1989¹

*Now they have those public hearings where they ask our point of view,
Like what do ya think of this here thing on page 4,002,
And they're so easy to get to if you just know how to drive,
And you don't work and you've got no kids and your rich uncle just died...*

—lyrics excerpted from the *Ballad of BLM*, by Darryl Cherney, 1986²

As the “Timber Wars” heated up, it was not uncommon to see counterdemonstrators at Earth First! protests bearing signs which read, “Earth First! is the problem, not the solution.” At these same events counterdemonstrators were quick to bandy about several Corporate Timber talking points. Four widely held notions were parroted in particular: First, corporations were “good neighbors” that supported ecology and contributed to the community. Second, they asserted that harvesting old growth forest stands was beneficial to the environment because removing the older trees allowed quicker growing (not to mentioned, managed) younger trees to flourish thus removing more CO₂ from the atmosphere. Third, they claimed that California had the most stringent forestry laws in existence, namely the Z’berg-Nejedly Forest Practices Act and the California Environmental Quality Act (CEQA), and these were already restrictive enough to make logging almost unprofitable. Lastly, government agencies had been hijacked by radical environmentalists, and for this reason the proposed listing of the spotted owl as threatened was merely an attempt to appease an out of control, overly vocal but tiny minority. However, in February and March of 1990, a series of unrelated events debunked all three such claims thoroughly.

¹ They Sure Don’t Make Hippies the Way They Used To.0pt; , 1989, by Darryl Cherney

² I Had to be Born this Century, 1986, by Darryl Cherney

Corporate Timber itself, claimed that it was “a good neighbor”, but in fact, they actually acted as though the counties and communities in which they operated owed *them* something for all of the profits they made at the expense of the workers, environment, and residents. For example, both G-P and L-P opposed new assessments on log trucks hauling logs over county roads in the winter. Mendocino County had spent a million dollars in road maintenance costs for 1989 as a direct result of the timber industry’s hauling in the rainy season. The company reaped the profits, but made the people pay for the effects.³ As a result the Sherwood Forest Protection Association (SherPA), based near Willits, battled L-P legally in order to force the corporation to pay its fair share. Corporations like L-P were always quick to invoke the money they donated charitably, but Walter Smith pointed out the emptiness of such philanthropy stating:

“L-P donates to the community. Every high school play and practically every social event in Willits has been donated to by (various Gypos) and L-P. They’re doing those kinds of things, but, on the other hand, the destruction that’s taking place in the woods and the detrimental effect it’s having on our communities is a hell of a lot more than the few pennies they’re putting in on the other end.” 11.0pt;⁴

It was for reasons such as these that residents of timber dependent communities, who had hitherto been cowed into silence, were now speaking out, and not just about clearcutting or road issues. Louisiana-Pacific and Simpson posed substantial health risks due to chloroform emissions at L-P’s Samoa (in Humboldt County) and Antioch (in Contra Costa County) pulp mills and Simpson’s nearby Fairhaven mill. Both had been named among the 500 worst polluters in the United States in August 1989 by the National Wildlife Federation. Simpson’s Pulp Mill ranked at number 208 while L-P’s Samoa facility was ranked 261. Of the 3,100 counties in the nation, Humboldt County ranked 77th worst.⁵ The Environmental Protection Agency (EPA), especially under the Ronald Reagan and George H.W. Bush administrations had been particularly friendly to capitalist industrial interests, but they were forced, by public pressure, to admit that chloroform emissions posed a significant carcinogenic risk. The EPA had recently calculated that as many as 10 percent of all residents of Eureka would develop cancer from Simpson’s emissions alone. Although the EPA had awarded both companies special permits which allowed them to greatly circumvent normal emissions standards, neither company had even complied with these conditions since 1987.⁶

³ “Forest Protectors Take the Initiative”, by Richard Johnson, *Mendocino Country Environmentalist*, November 1, 1989.

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

⁵ “L-P, Simpson ranked in ‘Toxic 500’: Local Mills on Wildlife Group’s List of Worst Polluters nationally”, by Mario Christaldi, *Eureka Times-Standard*, August 16, 1989.

⁶ “Labor, Activists Unite to Fight L-P”, by Crawdad Nelson, *Anderson Valley Advertiser*, January 17, 1990.

Due to the recent revelations about L-P's polluting of the Russian River in Sonoma County, the lack of oversight in Humboldt County was now too big to ignore.⁷ The discharged waste water drained directly to the nearby Pacific Ocean and altered the water's color and temperature interfering with the amount of light vital to photosynthetic activity in violation of California's Ocean Plan and threatening the lives of shellfish and other marine fauna, as well as the fishermen dependent upon them for their livelihoods. The Surfrider foundation pointed out that the discharged effluent reeked of kerosene, burned skin and eyes, and caused nausea which persisted for days. On January 28, 1988, the Regional Water Quality Control Board had issued a cease and desist order against both L-P and Simpson, but this had been ignored. Additionally, both mills produced dioxin byproducts in the course of their refining activity which posed additional cancer risks.⁸

Workers in these plants were even beginning to add their voice to the chorus of opposition. To speak against these mills had hitherto been to risk one's job, one's business, or one's reputation, and to live in fear or risk the wrath of the mill owners and their constant influence pedaling backed by threats of capital flight.⁹ For example, Dave Chism, a hog tender for the Simpson Pulp mill, who had worked at the company for nine years and served as the elected vice president of the Association of Western Pulp & Paper Workers (AWPPW) Local #67, which represented the 200 or so employees in the Simpson facility, had not originally been a dissident, but had become enlightened after the evidence proved too great to ignore. At an Earth First! rally, he would openly declare:

"If you look down here at this operation (L-P), see how after it breaks up you get that haze? We've had a real ongoing battle with particulate problems because it's an old boiler with an electrostatic precipitator. The particles in the flue gas pass through the precipitator and they're supposedly taken out of the gas stream, but since ours is so old and since we fire our furnace so hard, we have a lot of problems meeting particulate levels. They ran a source test in April (1989) and the legal allowable limit for particulate per ton of pulp was four pounds; we were found putting out 14.3 pounds. Actually, that's why I started getting involved, because I'm a pulp worker and that first meeting I went to was a real eye opener. I was on the company side, if anything, until I started listening to some of the arguments that were presented by the environmentalists, started reading some of the documentation. I went, 'My God, they do have a valid bitch.'

⁷ See for example, "Toxic Survey Rips 2 Humboldt Mills: L-P, Simpson Emissions Cited", by Eileen Klineman, *Santa Rosa Press Democrat*, Aug. 21, 1989, "Pulp Mills Face Tighter EPA Wastewater Rules"; *UPI*, *Eureka Times-Standard*, January 3, 1990; 1990; "Air Quality Decision Hurts", letter to the editor by John Triska, *Eureka Times-Standard*, January 5, 1990; and "Pulp Mill Emission Levels Down: Cancer Risks Still Exceed Government Standards", *Eureka Times-Standard*, January 13, 1990.

⁸ *Crawdadd Nelson*, January 17, 1990, *op. cit.*

⁹ "Mill Towns", editorial by Bob Martel, *Country Activist*, February 2, 1990.

I mean, our company didn't tell us how much particulate we were putting out. So that's when I started to try and help them a little bit."¹⁰

For his outspokenness, David Chism was red-baited by officials at Simpson. As he described it several years later:

"I can tell you from my own experience, I've been called a 'communist' by representatives of Simpson Timber Company. They used to routinely refer to the Arcata Plaza as the Red Square and we all had a good chuckle over that one. I was actually involved in an FBI investigation of Simpson Paper Company when they sewerred—did some illegal dumping—at the mill when they were closing it, and the FBI agent told me, 'Look, do you ever plan to work in the timber industry again?', and I said, 'no,' and he said, 'well, that's good, because you can pretty much forget it.' *And that came from the FBI*—and I don't really put much stock in what they have to say, but I took *that* point seriously."¹¹

It was no coincidence that the AWPPW's increasingly nasty labor dispute with Simpson made the workers more receptive to overtures from the likes of environmental activists, even Earth First!, as workers felt as though the company was abusing them as much as they were the local community.¹² Two workers had been permanently disabled and eight others injured by a pulp mill tank that collapsed due to willful negligence by the company in December of 1988.¹³ OSHA had fined the company \$666,000, but Simpson was appealing the decision, much like G-P was doing in the case of its Fort Bragg facility.¹⁴ The workers had also been working without a contract since June of 1989.¹⁵ At one point they went so far as to picket plant manager Aaron Gettelman's house in Arcata.¹⁶ The company responded by denouncing this as "terrorist activities which drew an angry rebuke from AWPPW Local 67 shop steward Robert Sylvester who declared, on behalf of the membership:

"We in the AWPPW are making an honest and good faith attempt to convey to management our concerns about problems in this mill. Management

¹⁰ "The Scene at Simpson", Dave Chism interviewed by Bruce Anderson, *Anderson Valley Advertiser*, June 27, 1990.

¹¹ "The Public Outlaw Show: Democracy is Not a Spectator Sport", Dave Chism and Bob Cramer, interviewed by Dan Fortson on KMUD FM, November 27, 1997.

¹² "Union Making a Good Faith Effort", letter to the editor by Robert Sylvester, Shop Steward, on behalf of the membership of AWPPW Local #67, *Eureka Times-Standard*, February 16, 1990.

¹³ "Simpson Penalized", *EcoNews*, August 1990.

¹⁴ "Tank Collapse Will Cost Simpson", by Charles Winkler, *Eureka Times-Standard*, July 10, 1990.

¹⁵ "Simpson Worker at Issue with Ad", letter to the editor by Kevin Truby, *Eureka Times-Standard*, June 14, 1990.

¹⁶ "Simpson Workers Picket Boss's Home", *Eureka Times-Standard*, February 26, 1990.

appears to be unwilling to consider our concerns...It has proven very difficult to deal in good faith with our management team, as they refuse to deal with us in any but an adversarial manner.

"The charge of terrorist activities in this mill is not only uncalled for, it is also unfair to a conscientious and dedicated workforce which has labored for years to make this plant an integral and profitable part of the corporation.

"Labor-management relations in this plant are at an all-time low...Threats, intimidation, punitive actions, and concessionary bargaining are not the way to obtain cooperation."¹⁷

Both L-P and Simpson planned expansion on their pulp operations as well as new facilities for producing carbon and charcoal. Both companies applied for emissions waivers, which angered the community. Louisiana Pacific's waiver was granted, though it was done largely on a legal technicality, wherein the company cited past practice, essentially wherein the very responsible agencies had declined to enforce emissions and effluent standards that L-P was again asking to violate.¹⁸ The City Council of Arcata, at least, was incensed and declared that L-P's waiver was illegal, and demanded that the air board resign.¹⁹ That one of the Air Quality Control Board members had owned stock in the company no doubt helped frame the board's decision, though they claimed to have sold it before granting the waiver.²⁰

The *Eureka Times-Standard*, offered its support (once again) as the defender of corporate personhood and L-P's right to pillage the community in the name of capitalism, and argued that "Louisiana-Pacific shouldn't be made to pay for the mistakes of others," namely the negligence of the Air Quality Control Board.²¹ However the publication's logic was completely circular in that corporations like L-P routinely pressured such enforcement agencies to ignore existing laws, had their executives placed in positions of responsibility on such boards, and—failing that—threatened (and sometimes committed) capital flight if they don't get their way, thus making such boards reticent to enforce those standards!²² Certainly, this is how Maxxam had reacted to Jerry Partain's brief display of independent thought.

¹⁷ "Millworkers Want Talks", letter to the editor by Mike Snell, AWPPW Local 67, *Eureka Times-Standard*, March 12, 1990.

¹⁸ "L-P Emissions Spark Review of Air Quality Testing Rules", by David Forster,

¹⁹ "Arcata Demands New Air Board: L-P Waiver Illegal, City Contends", by Ed Lion, *Eureka Times-Standard*, January 26, 1990;

²⁰ "Board Member Sold L-P Stock Before Vote", by David Forster, *Eureka Times-Standard*, January 24, 1990.

²¹ "L-P Shouldn't Pay for Others' Errors", editorial, *Eureka Times-Standard*, February 4, 1990.

²² "'Environmental Group Challenges L-P Air Variance", by David Forster, *Eureka Times-Standard*, February 7, 1990.

This callous disregard for the health of the local communities angered local residents, and the Arcata City Council argued against Simpson being likewise granted a waiver.²³ On February 4, 1990, The City sued the Air Quality Control District, arguing that the board had a conflict of interest and that medical professionals and licensed doctors should at least be appointed to the board to balance the influence of pro-industry officials then dominating them.²⁴ Much to everyone's surprise, on February 6, the waiver was at least temporarily blocked, and California State Attorney General Van de Kamp, who was somewhat progressive and receptive to the concerns of environmentalists requested that the Board deny it altogether.²⁵ Simpson, naturally, threatened to close their mill, arguing that the waiver's denial threatened their ability to operate,²⁶ and this prompted the *Eureka Times-Standard* to excoriate Van De Kamp's actions as "politically motivated" (as if the actions of the corporations and their capitalist media commissars weren't) and again opine that corporations such as Simpson should be given carte blanche to pollute at will, all in the name of "free enterprise".²⁷

* * * * *

Corporate Timber had been making the "young growth is more beneficial than old growth" argument for years in defiance of repeated arguments to the contrary by environmentalists and biologists. The day after Bosco, Keene, and Hauser announced the terms of their so-called "timber pact" with Hurwitz and Merlo, the prestigious and widely read journal, *Science*, published the findings of a study discrediting the industry's claims about young growth. In fact, the research showed, that during the 20th Century, the rapid deforestation of old growth conifer forests of the Pacific Northwest had actually dumped a "disproportionately large amount" of CO₂ into the earth's atmosphere in comparison to other land use changes during the same time. Mark Harmon of Oregon State University, one of the study's researchers summed up the findings declaring:

"The conventional wisdom was that since young trees remove carbon from the environment more actively than older trees, harvesting the old growth would actually reduce problems with the greenhouse effect, but the natural

²³ "Arcata City Council Defers Action on Simpson's Annexation Request", by Ed Lion, *Eureka Times-Standard*, January 18, 1990; "Simpson Pulp Mill Project Hinges on Emissions Waiver", by Charles Winkler, *Eureka Times-Standard*, January 30, 1990; "Decision on Pulp Mill Emissions Delayed: Simpson Asked to Respond to Board Concerns", by David Forster, *Eureka Times-Standard*, February 2, 1990; "Simpson Considers its Options: Smoke Cleanup in Jeopardy, Exec Says", *Eureka Times-Standard*, February 4, 1990.

²⁴ "Arcata Sues Air District: City Says Law Requires Doctor as Board Member", by Ed Lion, *Eureka Times-Standard*, February 5, 1990.

²⁵ "Van de Kamp Asks Air Board to Deny Simpson Variance", by David Forster, *Eureka Times-Standard*, February 7, 1990.

²⁶ "Simpson Air Waiver Denied: Officials Hint Decision Could Force Mill Closing", by David Forster, *Eureka Times-Standard*, February 8, 1990.

²⁷ "Air Board's Action Fogs Simpson Mill", editorial, *Eureka Times-Standard*, February 11, 1990.

processes are not nearly that simple and the theories do not hold up (under scrutiny).²⁸

What the study showed, among other things, was that the CO₂ was absorbed by the young trees and incorporated into their wood and remained there as long as the trees remained alive—even if immeasurably old. However, upon their harvest or death, that CO₂ was then released into the atmosphere. The death and decay of ancient old growth trees did not have the same effect as their harvesting, however, because the woody debris cycle effectively transferred the carbon to other species in the process, this is now referred to as *biological carbon sequestration*. Lumber harvesting, on the other hand, represented a significant and invasive disruption of that cycle. By failing to account for all of the parts of an old growth forest, rather than just the harvestable timber, the corporations had once again quite literally failed to see the forest for the trees!²⁹

* * * * *

This was but the latest domino to fall. More would soon follow. In 1973, the California Legislature had passed Z'berg-Nejedly, which was designed to regulate forest practices within the state of California with the goal of mixed usage, including long term preservation, recreation, and timber harvesting. According to the Environmental Protection Information Center (EPIC) , however:

“The Forest Practice Rules state that CDF ‘shall disapprove a plan as not conforming to the rules’ if it does not contain enough information to evaluate potential environmental effects, if it would cause ‘significant, long-term damage’ or cause a ‘taking’ of a threatened or endangered species or if it would cause irreparable harm to rare or endangered plant species... *Over 99% of the THPs that are submitted, however, receive CDF’s reliable rubber stamp approval.* At most CDF will encourage submitters to withdraw a THP if there are problems in giving it their approval, but most often a new THP is submitted and approved in its place which covers the exact same area and only differs from the original plan by small, cosmetic changes.”³⁰

The claim made by EPIC as represented by the italicized text is an accusation that many environmental activists had been making for several years, and both Earth First! and EPIC were among those who most steadfastly made this point. Corporate Timber, the CDF, most gyppo operators—particularly those most enthralled by the

²⁸ “Study Disputes benefits of Old-Growth Replacement”, UPI Wire, *Eureka Times-Standard*, February 10, 1990.

²⁹ This is described in a much more recent study covered in “Factors Controlling Long- and Short-Term Sequestration of Atmospheric CO₂ in a Mid-latitude Forest”, by Carol C Bradford, et. al, *Science*, November 2001

³⁰ “How a Timber Harvest Plan Works”, featured on the EPIC website at <http://www.wildcalifornia.org/how-a-timber-harvest-plan-works/>. Emphasis added.

corporations—and their “Wise Use” front groups continued to deny this accusation, even going as far to state the contrary position, that the existing rules were overly burdensome and additional regulations, like the proposed *Forests Forever* ballot initiative were unnecessary.³¹ Challenging THPs was no easy task either, because access to information, including timber volume, on private forest holdings was as difficult as getting access to the land itself, because timber corporations considered the statistical information proprietary.³² In spite of this, several times in recent years they had even attempted to scrap the THP process for individual harvests in favor of far more lax approval mechanisms, including annual timber inventory reviews (which would no doubt make approval of logging plans even easier), or even longer period harvest plans.³³

Yet, challenges to THPs by concerned locals and/or environmental activists had been rising at an ever accelerating rate since EPIC vs. Johnson in 1985. Indeed, since Maxxam had raided Pacific Lumber, EPIC alone had filed numerous challenges to Pacific Lumber THPs.³⁴ CDF employees had even blown the proverbial whistle, claiming that their agency was indeed a “rubber stamp” for the corporations.³⁵ It was this ever increasing dissidence—among other factors, including an escalation of direct actions in the woods by Earth First! and workers’ resistance to corporate timber practices—spurred on to some extent by the IWW—that pushed Maxxam’s Charles Hurwitz and L-P’s Harry Merlo to meet with Doug Bosco, Barry Keene, and Dan Hauser to hammer out their so-called “accord”.³⁶ These events hadn’t gone unnoticed by the California Department of Forestry and Fire Protection either.

In March of 1989, the CDF commissioned a study by the private consulting firm of the Point Richmond, California based LSA Associates, Inc. to investigate why, in recent years, the CDF had sustained an increasing amount of litigation over its THPs. The majority of the legal challenges took place in “Region I”, California’s North Coast, or the so-called Redwood Empire, and were in response to plans to harvest old growth redwoods in particular.³⁷ The consulting firm spent nine months involved in and observing the THP review and decision making process. In some cases, for some specific THPs, this involved LSA consultants accompanying RPFs in their field inspections

³¹ For example, see “State has Strictest Forest Rules in Nation”, letter to the editor by Paula M. Langager, *Eureka Times-Standard*, Sept. 28, 1990.

³² “Lawmakers’ Ignorance Forces Forest Initiative”, Lynn Ryan interviewed by David Forester, *Eureka Times-Standard*, September 14, 1990.

³³ “Timber Business to Cut Costs? Draft Legislation Proposes Long-Term Harvest Plan for State”, by Gina Bentzley, *Eureka Times-Standard*, November 18, 1985.

³⁴ “New Battles in the Maxxam Campaign”, by Greg King and Berberis Nervose, *Earth First! Journal*, Eostar / March 21, 1989.

³⁵ “Two Forestry Employees Testify at PALCO Trial”, by Marie Gravelle, *Eureka Times-Standard*, September 4, 1987.

³⁶ “The Latest on Headwaters Forest: Maxxam Violates Accord, Dissects Headwaters”, By Greg King – *Country Activist*, March 1990 and *Earth First! Journal*, Eostar / March 22, 1990.

³⁷ “An Interview With Kelpie Wilson”, by Sharon Seidenstien, *Ecology Center Newsletter*, October 1990.

for pre-harvest inspections (PHIs). Usually these inspection teams consisted formally of the RPF and a professional wildlife biologist accompanied by the observing LSA personnel. LSA also observed the organization and preparation of official responses (ORs) to environmental comments documents submitted in response to specific THPs. The primary goal of the report was not to criticize the CDF or the BOF, but, in fact, to assist both in securing more favorable court judgments in the event of litigation.³⁸

When LSA presented its findings, the results were astonishing. Without intending to do so, the firm confirmed just about every charge made by the CDF's and BOF's critics, and vindicated the environmental activists who had been claiming that the fox had been guarding the henhouse for years.³⁹ The report had been written by Dr Robert J. Hrubes, himself a former federal forester and economist, and it was so damning in its conclusions, the CDF initially tried to keep it a secret from board member Harold R. Walt who had been appointed the agency's chair in March 1990, after serving on the BOF as one of its directors for seven years. The report had been released in December 1989, but Walt didn't learn of its existence until mid-March from a meeting with a coalition of environmentalists, who had learned of the report before *him*. Upon confirming the report's existence, he angrily ordered that it be made public. Upon doing so, he declared, "I hope that releasing this report, discussing it openly, and dealing decisively with the issues will be a starting point in blistering public confidence."⁴⁰

To begin with, LSA confirmed that the THP process was biased against the timber industry's critics. The Forest Practices Act required the CDF to reach a decision for a THP within 35 days of its submission, and for most submissions, that was insufficient, but for controversial old growth THPs, it was impossible. In practice, the average time required to reach a decision on the latter was closer to six months. Corporate Timber had often tried to hide behind the 35-day rule, but judges had routinely granted critics of the THPs appeals for time extensions making a mockery of the process. In the recent EPIC and the Sierra Club vs. CDF case involving Headwaters, Humboldt County Superior Court Judge William Ferroggiaro concluded that the stipulated timeframe lead to decisions based on "sheer sophistry". A recent rule change by the BOF had added ten days to the review period, extending the time for review to 45 days, but according to LSA's findings, this change was insignificant.⁴¹

Furthermore, for old growth THPs, the complex relationship between the CDF—whose mandate under California law was to facilitate resource extraction, specifically the harvesting of timber—and the Department of Fish and Game (DFG)—whose role it was to protect wilderness and wildlife, often resulted in interagency conflicts. LSA dis-

³⁸ Hrubes, Dr. Robert J., Final Report – Conclusions and Recommendations for Strengthening the Review and Evaluation of Timber Harvest Plans; Prepared for the California Department of Forestry and Fire Protection, LSA Associates, Inc., Point Richmond, California, March 1990.

³⁹ "Kelpie Wilson", Seidenstien, October 1990, op. cit.

⁴⁰ "New CDF Chief Pledges Forestry Reforms", by Mike Geniella, *Santa Rosa Press Democrat*, April 3, 1990.

⁴¹ Hrubes, op. cit.

covered that Corporate Timber firms often used this conflict to their advantage, usually using the CDF as a regulatory shield for their harvesting activity. Routinely, when the DFG requested “mitigations” in THPs—usually in response to pressure from concerned critics of the plans—the submitter would respond by arguing that the mitigations were infeasible, either being too costly or bringing about “unacceptable silvicultural ramifications.” Often the RPF would also declare that the burden fell on the DFG to prove the necessity of the mitigations, to which the CDF would respond by endorsing the RPF’s response, either by forwarding it to the DFG without critical response or by choosing to abstain from negotiations and discussions on the disputed points. LSA’s interpretation of the law and the legal rulings that had touched on the conflict suggested that the CDF was obligated to be more proactive in reviewing the mitigations demanded by the THPs’ critics. LSA further suggested that the rejection of various mitigations might ultimately prove to be justifiable—in some circumstances—but the CDF needed to exercise more independent judgment.⁴²

In many cases, LSA discovered, mitigations were rejected by the CDF on dubious grounds. The most common rational given for rejection was that the proposed mitigations were incompatible with “maximum sustained yield” (MSY). However, the definition of MSY was a moving target depending upon one’s interests, making it nearly impossible to measure objectively. To corporate timber, MSY meant the maximization of merchantable timber from a given forest stand. To environmentalists, it meant the maximization of living forest biomass (being necessary for the long term viability) in the same. These were “clearly divergent agendas,” and for the CDF to reject proposed mitigations based on the timber industry’s definition of MSY was not likely to withstand judicial review in LSA’s opinion.⁴³

A still more extreme and increasingly popular invocation by the submitter of THPs was that mitigations represented an infringement on their private property rights, or an “uncompensated taking”. This latter strategy was the brainchild of right wing think tanks and so called “Wise Use” organizations. These forces had cynically and successfully manipulated a very engrained culture of “rugged individualism” so prevalent in the rural American west to manufacture a consensus against increasingly stronger environmental ethics that evolved as human consciousness of the fragility and interconnectedness of the Earth’s ecology increased. From the reaction to environmentalism originated the so-called “Sagebrush Rebellion” which successfully—if falsely—attributed “environmentalism” to the whims of urban “elitists” (or “unwashed-out-of-town-jobless-hippies-on-drugs”) perhaps under the sway of hostile “outside” forces, even (gasp!) “Communism” (Horrors!). Corporate timber naturally found strategic advantages in using the “private property” defense.⁴⁴ LSA warned, however, that the Constitutional standards

⁴² Hrubes, *op. cit.*

⁴³ Hrubes, *op. cit.*

⁴⁴ Deal, Carl, *The Greenpeace Guide to Anti-Environmental Organizations*, Berkeley, CA., Odonian Press - The Real Story series, 1993, pages 6-22.

of taking were complex and that the CDFs understanding of them far too simplistic and not likely to stand up legally in court.⁴⁵

Additionally, Title 14 Section 898 of the California Administrative Code required the RPF to determine if the proposed THP would have any significant adverse impact on the environment. The principle argument used by environmentalists and other critics of THPs in order to bolster their demands for mitigations, was that the harvest would indeed have adverse impacts. LSA found that only in the rarest instances, less than one-tenth of a percent of all cases, had a THP been submitted with a positive determination of significance. In *not a single case* had the CDF rejected the RPF's negative determination. In effect, the THP had evolved into the functional equivalent of a "mitigated negative declaration". Some foresters had even argued, and the CDF had consistently accepted, that for non-listed species, significant impacts would only occur if the viability of the species was threatened. In essence, they were determined to log until and unless strictly prohibited by the Endangered Species Act, a law that resource extraction corporations had been trying to abolish for years anyway. LSA found this standard to be overly restrictive and unsupported by established peer-reviewed professional biological science. The report declared,

"With respect to possible wildlife impacts, we believe the Department's tacit endorsement of the almost-categorical judgment of non-significance is both practically and factually untenable...To categorically hold to the position that impacts are not significant, as the Department has essentially done to date, increasingly puts the credibility of the THP review process in jeopardy...While the motivations or concerns of both the RPF and CDF reviewing staff is understandable, aversion to the possible ramifications is not a defensible justification. And, in fact the long term chances for successfully seeing a THP through the review process and subsequent litigation are quite possibly enhanced by shifting the focus away from the significance issue and on to possible 'overriding considerations'."⁴⁶

Thus, LSA unambiguously described the CDFs conduct a pattern of "tacit endorsement of categorical non-significance". This was fancy legal jargon for saying that the CDF was indeed, "a rubber stamp" for Corporate Timber, as EPIC had been arguing now since its victory in the case EPIC vs. Johnson, and the recently decided EPIC and the Sierra Club vs. Maxxam.

The LSA report's conclusion was the most damning of all to Corporate Timber and it vindicated the environmentalists. Among the points it made were these:

"From our perspective, the pattern of unfavorable court rulings is best viewed as a symptom of an underlying erosion of public support and endorsement of some of the more visible aspects of industrial forestry in

⁴⁵ Hrubes, op. cit.

⁴⁶ Hrubes, op. cit.

California...the forestry community may be comforted by interpreting the opposition to the industrial forestry agenda as the agitation of the radical fringe but we cannot endorse that view...it is an unavoidable reality that even the most rural counties are undergoing fundamental changes associated with urbanization...The harsh truth is that the majority of the State's population does not, and increasingly will not, support 'business as usual' policies such as rapid liquidation of the remaining privately-held old growth stands and conversion of sizable portions of the State's timberlands to a wood fiber industry.

"As the recent events in Mendocino County associated with the planned relocation of processing capacity to Mexico clearly demonstrate (the opposition is not limited to the) 'environmental community,' but rather includes local labor leaders, some county supervisors, Congressional delegations, state assembly members, and the natural resources professional and academic community...the forestry community is perilously isolated from the general sentiments and values of the California and national electorate...

In too many circles, the program and its administration by CDF is perceived as generally failing to adequately regulate the actions of the timber industry. The Board and, to a lesser extent, the CDF are perceived as overly sympathetic to the corporate goals behind industrial forestry actions and insensitive to the public resource obligations of industrial landowners.

"In our view the Department is at a crises point (and we recommend the two following actions): (1) establishing a greater degree of independence from the industry it regulates; (2) asserting a stronger leadership role in forestry matters in California...

"Too many people perceive CDF as not aggressively enforcing the intent of the Forest Practices Act and the requirements of CEQA. While it is vital to maintain a working relationship with the industry, it is equally important to visibly demonstrate to the industry and the public that...(the CDF) is committed to its regulatory obligations even if it angers the industry."⁴⁷

This is not what Corporate Timber wanted to hear by any means. The recommendation was all but an endorsement of the changes to the regulatory process, including the composition of the Board of Forestry, that was being proposed by *Forests Forever*.

If the corporations were hoping that Harold Walt would ignore or downplay the report, they were soon to have their hopes dashed. In early April 1990, Walt signaled that he intended to take the report very seriously. He reassigned Len Theiss, the chief state forester for California's North Coast region (who had rubber stamped a great many THPs) to other duties. He budgeted money for the CDF to hire its own biologists

⁴⁷ Hrubes, op. cit.

so that the DF&G biologists wouldn't be constantly in conflict with those of the agency. "I want a healthy, viable timber industry that is putting more back into the ground than what it's taking out. I want good forestry forever, not just a 'boom or bust' mentality," he explained.⁴⁸

This announcement did not bode well for the timber industry. Speaking for the Timber Association of California, Kevin Eckery announced that he had not yet read the report, but declared, "Contrary to the thrust of it, California has a very well-regulated timber industry. We believe current forest practice rules do indeed provide secure and perfected means of preserving our resources,"⁴⁹ but the words could not have been anything but hollow sounding to the proverbial imperial court that had just been, once and for all, shown to have no clothes.

The LSA report was hardly an aberration either. Everywhere news was breaking that proved that the foxes were indeed in charge of just about all of the henhouses with regards to environmental considerations. The GAO had recently determined that high level officials within the agency and Department of Interior had interfered with the listing process for the Northern Spotted Owl. The GAO also found that, in conflict with the Endangered Species Act, nonbiological considerations (read 'political / economic') had factored into the decision to not list it.⁵⁰ In June, the GAO would reveal that the US Government had failed to fully assess the environmental consequences of oil and gas development on millions of acres of public land, activity which mostly benefitted multinational energy corporations.⁵¹

All of this demonstrated that contrary to the rhetoric of the wise use movement, Earth First! was not the problem, it was an attempt at the solution. If the wildlife "trail" into Headwaters had given Redwood Summer a spark, the LSA report poured gasoline on the fire. Redwood Summer organizing meetings were already drawing huge numbers, far more than Earth First! or IWW meetings had managed to draw to this point. Soon they would double or even triple in size.

If history was any indication, the employing class giant would not simply lay down and let the little people tie it to the ground however. It would find other ways to remain uncontrolled and untamed. That notion quickly proved truthful. Shortly after returning home from one of these Redwood Summer organizing meetings, Judi Bari received a threatening phone call from Candace Boak who informed Bari that she had been watching the organizers, and to emphasize the point, Boak accurately described everyone who had been present at the meeting, and the cars they had driven. "Me and my husband John are coming over to visit you this weekend. We know where you live, over there in Redwood Valley," she concluded ominously.⁵² Bari responded, "That's

⁴⁸ Geniella, April 3, 1990, op. cit.

⁴⁹ Geniella, April 3, 1990, op. cit.

⁵⁰ "Old Growth vs. Old Mindsets", by Mitch Freedman, *Earth First! Journal*, Beltane / May 1, 1989.

⁵¹ "Environmental Factors Ignored", UPI Wire, *Eureka Times-Standard*, July 3, 1990.

⁵² "The Earth First! Car Bombing", by Judi Bari, *Earth First! Journal*, Brigid / February 2, 1994.

nice,” before Boak abruptly hung up the phone. Bari had tried to act nonchalantly but privately she had been scared out of her wits. Little did she realize that this was only the beginning.

33. The Ghosts of Mississippi Will be Watchin’

*Now when the timber barons heard the news they geared up for the fight,
And we laughed away the death threats and we cried to sleep each night,
And the media walked right into our homes,
As if they really were one of our own.
Now Goodman, Schwerner, and Chaney left this little racist town,
Drove down that Mississippi highway to the place they would bed down,
But in the mirror they could see the Sheriff’s light,
No, they never did make it home that night.*

—lyrics excerpted from *Ghosts of Mississippi*, by Darryl Cherney, 2004¹

*Now Judi Bari is an Earth First! organizer,
The California Redwoods are her home,
She called for Redwood Summer,
Where the owl and the black bear roam;
Charlie Hurwitz he runs Maxxam out of Houston,
Harry Merlo runs L-P from Portland town,
They’re the men they call ‘King Timber’,
They know how to cut you down;
And Shep Tucker spewed their hatred,
As Candy Boak laid out their scam,
John Campbell called for violence,
It was no secret what they planned...*

—lyrics excerpted from *Who Bombed Judi Bari?*, by Darryl Cherney, 1990²

Judi Bari didn’t have time to be frightened. Even though the organizers of the coming season of protests shortened the name “Mississippi Summer of the California Redwoods” simply to “Redwood Summer,” the situation—she thought—was starting to more and more resemble the violent and threatening conditions of the original Mississippi Freedom Summer anyway.

While the Public Interest and Environmental Law Conference was in progress in Oregon, the representatives of font-family: "Times New Roman", "serif">Corporate

¹ Real American, by Darryl Cherney, 2004

² Timber, by Darryl Cherney, 1991

Timber on California's North Coast were in the process of polishing their image. Louisiana Pacific, Pacific Lumber, and Simpson through the auspices of yet another front group known as the "North Coast Forest Industry" (NCFI)—which had existed quietly for twelve years—created a series of advertisements promoting themselves as "good neighbors", "economically beneficial to the local economies" of Humboldt and Mendocino Counties, and "careful stewards" of the region's forests. The campaign included radio spots and full page ads in the region's local and corporate newspapers. The NCFI didn't merely limit itself to representatives from the three corporations and the local gyppo firms, however. It opened up its membership to other local businesses, ostensibly because they depended upon the timber economy for their own viability, but more likely because the NCFI also functioned like the "good citizens' leagues" of old ensuring loyalty to the dominant power. One such business owner speaking approvingly of the effort declared, "The only way that the timber industry makes the newspaper is if somebody is sitting in one of their trees or chained to the back of one of their logging trucks."³

The NCFI campaign was ironic, given the fact that the north coast timber corporations had been producing such ads already *for years*, particularly in the *Eureka Times-Standard*, *Santa Rosa Press Democrat*, *Ukiah Daily Journal*, and (naturally) the *Humboldt Beacon and Fortuna Advance*. In fact, the bias was so blatant, that even a few readers of the last publication had already been incensed enough to accuse the editor of "shameless corporate bootlicking".⁴ The effort nevertheless brought many local employers into the fold, and following the ads, the NCFI's membership increased by 30 to 40 members from its original membership of barely one dozen.⁵

Two days after the NCFI announced its campaign, the *Santa Rosa Press Democrat's*, Ukiah bureau chief and head timber reporter, Mike Geniella, wrote a fairly extensive and article about the Mississippi Summer of the California Redwoods, or "Redwood Summer" as it was now being called. One week previously, Bari, Cherney, and other North Coast Earth First!ers had made their presentation to the Student Environmental Action Coalition (SEAC) who had held a conference in Sacramento. The SEAC organizers had been so inspired that they agreed to include the Redwood Summer organizing call out in their newsletter. "They (sent it) to thousands of colleges

³ "Timber Media Blitz Seeks Public Favor", by David Forster, *Eureka Times-Standard*, March 11, 1990.

⁴ For example, in response to "Headwaters Forest = Mumbo Jumbo", editorial by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, Feb. 1, 1990, a sneering, condescending, and frankly nasty dismissal of Earth First! and their desire to preserve Headwaters Forest, replete with theocratic Christian Fundamentalist overtones such as, "I did not realize the land had a 'will' I thought that was reserved for humans, who were created by God and have souls.", letter writer Dean C Rudd of Fortuna took Simmons to task for his "shameless corporate bootlicking", asks Simmons if "Charles Hurwitz faxed it to (him) verbatim." That Simmons probably believed his own rhetoric is all the more pathetic.

⁵ "Timber Media Blitz Seeks Public Favor", by David Forster, *Eureka Times-Standard*, March 11, 1990.

in the United States”, commented Betty Ball.⁶ Over the course of the next two weeks, the story made national press wires, and thousands of people suddenly began showing interest in what was happening behind the so-called “Redwood Curtain”.⁷ The Timber Association of California, a supporter of the NCFI was not pleased. Speaking on their behalf, Kevin Eckery declared, “(it) trivializes the real sacrifices made in Mississippi as part of the Civil Rights movement. The situation (here) doesn’t hardly seem to be the same.”⁸ He would soon be proven very wrong, and in a sense, he was wrong from the get-go. Candy Boak continued to call Judi Bari and let her adversary know that she was still being watched, which was an ominous—even threatening—gesture. This would only be the start of things to come.⁹

* * * * *

By all appearances, however, things were going relatively auspiciously for Earth First! – IWW Local #1 in the middle of March. At the Redwood Region Logging Conference in Ukiah, which took place two weeks after the Oregon Public Interest Environmental Law Conference (PIELC), they finally had their opportunity to demonstrate against one of the two remaining Louisiana-Pacific’s feller-bunchers being used by Okerstrom Logging. The second “Killa Godzilla” was to be proudly displayed on the grounds of the event, and those that had planned the demonstration against the first feller-buncher were not going to let this opportunity go to waste.

The conference itself was the usual carnival-like display of logging equipment and technology. Thousands of people, including several local school classes attended during the event’s three-day stretch. Bosco, Keene, and Hauser all attended and again urged timber industry leaders to accept the “Timber Pact” reached with Hurwitz and Merlo. Shortly after the conference, the three lawmakers conducted an “intense and wide ranging” meeting with a group of environmentalists, most of whom were litigants in lawsuits against Maxxam, in Santa Rosa to try and urge them to support the “Timber Pact” also.¹⁰

The organizers of the conference expected the Earth First!ers to be coming, and so they ensured that the security at the event, including around the feller buncher, was tight, but on March 17, 1990, the Earth First!ers were able to carry out their plans anyway. A group of “hippie-looking” Earth First!ers, including Bari and Cherney, created a diversion at the base of the machine, singing songs like *Where are We Gonna Work When the Trees are Gone* and *Tonka Toys*.¹¹ Meanwhile, two loggers, Brent

⁶ “Summer of Disobedience in the Woods”, by Mike Geniella, *Santa Rosa Press Democrat*, March 13, 1990.

⁷ “Redwood Wars Ready to Escalate: Coast Braces for Influx of Protesters”, by Mike Geniella, *Santa Rosa Press Democrat*, March 25, 1990.

⁸ “Summer of Disobedience in the Woods”, by Mike Geniella, *Santa Rosa Press Democrat*, March 13, 1990.

⁹ Harris, David, *The Last Stand*, New York, NY, Times Books, Random House, 1995, page 298.

¹⁰ “Thousands Visit Logging Conference”, staff report, *Willits News*, March 21, 1990.

¹¹ “Ukiah Burning”, by Darryl Cherney and Judi Bari, *Earth First! Journal*, Beltane / May 1, 1990.

Waggie and Joe Keating¹² climbed up onto the top of the machine and hung a banner, which read, “THIS THING KILLS JOBS & FORESTS: Earth First!”. Waggie, a logger from Springerville, California, said, “This feller-buncher will put my family out of work. We can’t afford \$700,000 machines, and my family is set up for saw logs, not pecker poles.”¹³ The two loggers were eventually arrested and charged with trespassing.¹⁴

Two weeks later, this feller buncher *also* caught fire, while engaged in logging operations south of Chamberlain Creek in the Jackson State Demonstration Forest. The Mendocino County Sheriff’s Office conducted investigations which revealed that the fire started accidentally at about 2:20 PM on April 4, 1990, due to misuse. Okerstrom had been using it to log L-P property near Jackson State Forest west of Willits when it ignited and its internal fire suppression systems failed. The sheriff’s office had been asked to investigate specifically because of the growing tensions over Redwood Summer.¹⁵ “Either this thing is a \$700,000 lemon, or there are some heroic people out there in the woods,” opined Judi Bari.¹⁶ When asked if she was responsible, Bari declared, “It wasn’t me; I was home in bed with five witnesses.”¹⁷ She reiterated, again, that she did not know or want to know who was engaged in equipment sabotage (if that had indeed been what had happened, which it later was discovered, was not), stating, “Our approach in this area is public awareness...I neither engage in sabotage myself or want to hear about it...if it had been sabotaged, it probably would have been by loggers.”¹⁸

Bari added, however, that she was not saddened by the second behemoth’s demise, nor were any loggers likely to oppose the destruction of the job killing “fascist robot.” Walter Smith confirmed the appropriateness of the description, by noting that it not only replaced fallers, but choker setters also, and that the feller buncher could double production with half of the crew.¹⁹ At least one reader of the *Willits News* was puzzled by the framing of the incident which, from the headline, suggested that the machine had been sabotaged by Earth First! That it wasn’t, and that this was the substance of the article, was not evident in the headline.²⁰ Once again, careless (or deliberately

¹² “Thousands Visit Logging Conference”, staff report, *Willits News*, March 21, 1990.

¹³ Cherney and Bari, May 1, 1990, op. cit.

¹⁴ “Activists Arrested at Ukiah Meeting,” staff report, *Eureka Times-Standard*, March 19, 1990. The *Ukiah Daily Journal* described the pair as being from El Cerrito, in the San Francisco Bay Area, misspelled Waggie’s name, and did not identify them as loggers. See “Two Arrested in Logging Protest”, *Ukiah Daily Journal*, March 19, 1990.

¹⁵ “Fire Called Accident”, *Santa Rosa Press Democrat*, April 5, 1990; “Logging Equipment Fire Accidental”, *Ukiah Daily Journal*, April 5, 1990; and “Feller Buncher Burns”, by Lillian Brown, *Willits News*, April 6, 1990.

¹⁶ Cherney and Bari, May 1, 1990, op. cit.

¹⁷ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, April 11, 1990.

¹⁸ “Feller Buncher Burns”, by Lillian Brown, *Willits News*, April 6, 1990.

¹⁹ Brown, April 6, 1990, op. cit.

²⁰ “With a Little Help From...”, anonymous letter to the editor, *Anderson Valley Advertiser*, April 18, 1990.

misleading) reporting had imparted sinister motives to Earth First! - IWW Local #1 that didn't exist.

* * * * *

That's not to suggest that Earth First!ers didn't occasionally choose their words poorly. In early March, Darryl Cherney inadvertently served up the ultimate fat pitch to Earth First!'s detractors. While being interviewed by Mike Wallace on *60 Minutes*, Cherney flippantly stated, "If I had a fatal disease I would definitely strap a body bomb to myself and blow up the Glen Canyon Dam or the Maxxam building *at night after everyone had gone home*." An estimated 10 million viewers witnessed Darryl's words—at least those not in italics, which (had they been broadcast) might have lessened the seriousness of his statement. That *60 Minutes* saw fit to exclude the last part was something that Cherney should have anticipated, and reportedly he was chewed out soundly by everyone in Earth First! for his careless choice of words. According to Judi Bari, Cherney would never even get close to a bomb. He had never even lit a firecracker (in fact, he was afraid of them).²¹

Indeed, the activist may have been set up. Cherney maintained that the CBS producer who interviewed him said that his initial, far more mild, response was too bland and asked for something "more punchy".²² Still these words had their impact, and it provided fodder to political reactionaries and apologists for corporate timber who never tired of describing Earth First! as "terrorists".²³ It also gave Earth First! a black eye politically in the eyes of many *60 Minutes* viewers nationwide. One even went as far to suggest that the tree Cherney's guitar came from should have been saved and the guy who played it (Cherney) should have been cut down.²⁴ As it was, no Earth First!er was likely to do this. Dave Foreman was quite clear in his stance on the matter, stating, "I've always discouraged the use of explosives and guns...That's in an entirely different realm than pulling up survey stakes."²⁵ Even Ecodefense had a very short entry on the use of explosives. It simply stated: "Explosives should...usually be avoided."²⁶ Furthermore, in too many places to count, Ecodefense admonishes the would-be monkeywrencher to "never hurt anyone" and to "respect all life" (including human life).²⁷

²¹ "The Earth First! Car Bombing", by Judi Bari, *Earth First! Journal*, Brigid / February 2, 1994.

²² Colemanhoax.info, response to Kate Coleman, page 143.

²³ See, for example, "Other Forms of Protest needed", letter to the editor by Leonard Shumard Jr., *Eureka Times-Standard*, March 4, 1990.

²⁴ "Short Stuff", *Santa Rosa Press Democrat*, March 13, 1990.

²⁵ "Was it a Government Plot?", by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

²⁶ Foreman, Dave and "Bill Haywood" editors; forward! [sic] by Edward Abbey, *Ecodefense: a Field Guide to Monkeywrenching*; (third edition)., Chico, CA., Abzug Press, 1993, page 10. Some might quibble over the inclusion of the word "usually" opening up a wide latitude for monkeywrenchers to use explosives anyway, but there is no entry in the book that calls for their usage.

²⁷ Foreman, Dave, op. cit., passim.

Darryl Cherney *did* surrender to authorities at the Humboldt County Jail in Eureka on March 20, 1990 to begin a ten day jail sentence, along with fellow Earth First!er and musician George Shook. The two had pled no contest “(to) the heinous crime of tree sitting,” the previous year, after Pacific Lumber reactivated an old lawsuit against them.²⁸ Cherney and Shook described themselves as “prisoners of war in the fight to save the redwoods.”²⁹ Before the two began their internment, approximately 40 protesters rallied on the sidewalk in downtown Eureka at the jail and courthouse. Demonstrating the class bias of the justice system, Cherney read from a computer printout—based on the LSA Report—all of the convictions brought by the CDF against those that broke environmental laws over the previous two years. Most of their crimes included serious crimes against nature, such as clearcutting in riparian protection zones or logging without even filing a THP at all! In every instance, the perpetrators had their jail sentences and most of their fines suspended. Humboldt County DA, Terry Farmer, was singled out in particular for his pro-corporate bias, as demonstrators shouted “Jail Hurwitz!” Bari, Cherney, and Shook led the crowd in protest songs, including Jerry Leiber’s and Mike Stoller’s classic *Riot in Cell Block Nine* and *Oh Freedom* (complete with Earth First! specific lyrics). A group of determined Earth First!ers attempted to surround Cherney and Shook, but the police twisted the would be saviors’ arms behind their backs thus preventing the tiny group from preventing the jailing of the activists.³⁰

Mysteriously, Cherney and Shook only served five days of their ten day sentence. With no advance warning, the Humboldt County sheriffs released the pair at about 4:00 AM on the cold, foggy morning of Sunday, March 25. Cherney and Shook contacted their designated jail support person who did not answer. Not knowing what else to do, they prepared to hitchhike back to Arcata, six miles to the north. Just then, a woman called Darryl’s name from a nearby vehicle. It was Candy Boak. Feigning affability, Boak announced that she and her husband John lived nearby, that she couldn’t sleep, and that she’d come to town to buy a Sunday paper from a local minimarket. Then, completely contrary to her past behavior, she offered the pair breakfast and a ride to Arcata. Having few other options, Cherney and Shook obliged and climbed into Boak’s minivan. At breakfast, Boak—still pretending to be seeking a temporary truce—asked the two a large number of questions about Redwood Summer, including logistics and ideology. Though careful not to reveal any sensitive information, Cherney and Shook answered her. After all, Earth First! was planning to be aboveboard on the summer campaign anyway, so there was little sense in hiding anything. Boak then drove the two back to Arcata before returning home.³¹

²⁸ “1990: A Year in the Life of Earth First!”, by Judi Bari, *Anderson Valley Advertiser*, January 2, 1991.

²⁹ “Earth First! Members to Surrender”, by Mike Geniella, *Santa Rosa Press Democrat*, March 20, 1990.

³⁰ “The Boys Go To Jail”, by Lincoln Pierce, *Country Activist*, April 1990.

³¹ Harris, David, *The Last Stand*, New York, NY, Times Books, Random House, 1995, pages 300-01.

Upon hearing of Cherney's experience, Judi Bari was incensed. She was already very angry about his having mouthed off on national television. Now she had to question his sanity entirely. Had it even occurred to him that it was the *least* bit odd that the Humboldt County sheriffs—who had absolutely no love for Earth First!—had let them go after only serving half their sentence? Did it not seem just a bit *too* convenient that Candy Boak was the *first* person that Cherney and Shook encountered upon their release? Was it just possible that Boak had maybe, just maybe, been tipped off about their discharge? Was it not even *remotely* suspicious that Candy Boak who had made it a matter of pride to “monkeywrench the monkeywrenchers” had probed the pair for the entire Redwood Summer playbook? He may as well have called Charles Hurwitz and Harry Merlo and told *them* everything. Cherney was taken aback and told Bari that she was paranoid. This annoyed Bari even more. As a woman, she was far too used to her opinions being discounted by her male comrades. After Candy Boak called Bari again and informed the latter that she had revealed all of the plans Darryl had shared with her to her allies in Mother's Watch and WECARE, Bari ruefully informed Cherney in no uncertain terms, “I told you so!”³²

Relationships between activists are almost always tenuous and difficult due to the external pressures of public life that inevitably invade the private and personal realm. The strain of a rapidly increasing workload demanded by the upcoming Redwood Summer combined with the brewing backlash in all of its manifestations (Candy Boak being but one of them) was taking its toll on the couple and they were fighting often to the point which Bari doubted aloud that the two had a future as such. This drove Cherney nuts, but there was little that could be done about it.³³

* * * * *

Publically at least, however, the two presented a united front out of necessity. Response to the call for Redwood Summer from potential supporters had been overwhelmingly positive and larger than anyone had expected. Betty Ball reported, “We’ve been inundated with calls from colleges and community activists all over the United States.”³⁴ Darryl Cherney described similar experiences, saying:

“Rapidly, lots of people became interested and the media started publishing reports about our plans, before we’d even finalized them...

“We also called a meeting in Ukiah that attracted a lot folks, right around the same time. We were attracting 60 to 70 people per meeting. Media was calling. You knew it was obvious that this was an idea whose time had come. There was almost no stopping it from the very beginning.”³⁵

³² Harris, op. cit., page 301.

³³ Harris, op. cit., page 301.

³⁴ “Redwood Wars Ready to Escalate: Coast Braces for Influx of Protesters”, by Mike Geniella, *Santa Rosa Press Democrat*, March 25, 1990.

³⁵ “An Interview With Redwood Summer Strategist and EF! Musician Darryl Cherney”, by Sharon Seidenstein, *Ecology Center Newsletter*, October 1990.

“It’s going to be a long hot summer,” stated Judi Bari; “the eyes of the nation will be watching us.”³⁶ Mike Roselle added, “Redwood Summer promises to be the biggest national mobilization of Earth First! activists ever,” and this was coming on the heels of over one-hundred direct action type demonstrations that Earth First! and/or the IWW had organized in Humboldt, Mendocino, Sonoma, and Marin Counties thus far. “The destruction wrought by the timber industry is unknown to most Americans,” declared Darryl Cherney. He further added:

“Besides the wholesale slaughter of thousand year old trees, they leave toxic dumps from their preservatives and eroded soil that can barely support new growth. Reduced precipitation, ruined rivers, treeless hillsides and a decimated salmon population is the legacy the timber industry has left us. The multitude of forest fires we’ve been getting are due to the smaller, more vulnerable trees that have grown back, as well as from malfunctioning logging equipment. They’ve devastated small communities with their boom and bust logging, and when they’ve stripped the land bare, they’ll often sell to a developer for tract housing and condos.”³⁷

Redwood Summer’s organizers agreed that they needed to convey unequivocally that they were going to remain steadfastly nonviolent, no matter what dangers or threats they faced. Taking a page out of the annals of the Student Nonviolent Coordinating Committee (SNCC), they adopted the following code:

“All demonstrators will follow a strict nonviolence code, including the following provisions:

- We will use no violence, verbal or physical, towards any person
- We will carry no weapons
- We will not damage any property.

“Additionally, please do not bring dogs, weapons, drugs, and alcohol.

“If you don’t want to be nonviolent, please don’t come to Redwood Summer. Tensions are extremely high here, as people’s jobs and lifestyles are being destroyed along with the forest. Although our actions are not directed against the timber workers, it is often easier for them to blame the protestors than to blame the giant corporations who are actually at fault. Last year there were several instances of violence against protestors, and the only way we can prevent a repeat of the attacks is to stand by the nonviolence code.

“This is not a picnic. It is a life-and-death struggle. But our actions have always been high-spirited and fun, and by our numbers and nonviolence we can succeed. Your

³⁶ “Mississippi Summer in the Redwoods: Freedom Riders Needed to Save the Forest”, By Judi Bari, Darryl Cherney, Pam Davis, Greg King, Mike Roselle, et. al., *Anderson Valley Advertiser*, April 25, 1990 and *Earth First! Journal*, May 1, 1990.

³⁷ Bari, et. al., April 25, 1990, op. cit.

coming here could make the difference we need to prevent the destruction of one of the most magnificent species on earth.”³⁸

Greg King emphasized that all participants would be required to take a nonviolence training which addressed most of the alleged concerns raised by Don Nelson in his hysterical letter accusing the organizers of Redwood Summer of endangering students’ and workers’ safety. “Any participant not in full agreement with non-violence as *the* principle concern during the actions will not take part in Redwood Summer.” The incoming “freedom riders” for the forests would be required to check in at hospitality houses and then dispatched to campsites or lodgings. Sonoma County Earth First!er and IWW organizer Pam Davis stated, “We’ve had an incredible response from people opening their doors and their land, from small office spaces to 320 acre forests...there’s still a need for more lodgings and land, however, and we’re putting out the call from Santa Rosa to Crescent City.”³⁹

Redwood Summer drew upon the support of locals as much as it intended to bring in support from the outside. Two of these local organizers included Anna Marie Stenberg’s son, Zack Stenz, and Supervisor Liz Henry’s daughter, Lisa. Lisa Henry recalls how she became involved in the efforts:

“It started in February...when Judi came over to Anna Marie Stenberg’s house and talked about Redwood Summer. I got a phone call on my answering machine. Zack (Stenz) said, ‘You’ve got to come over. Redwood Summer is going to be really big and we have to be in on it. Come meet Judi Bari’...

So I went over to Anna Marie’s and I met Judi Bari. Later Judi said to me she liked me from the minute we met, and all I had said to her was [brightly], ‘Hi!’

“The ironic thing was that I had lived in this county for seventeen years (my dad’s a forester, my mom’s a politician) and I didn’t know anything about forests or forests practices.

“I assumed that the Noyo Harbor got muddy when it rained, and I took for granted all the trucks on the road that were a pain in the butt, but I’d never really made the connection between deforestation and what was going on in the harbor and on the roads.”⁴⁰

Stenberg welcomed her son’s involvement, but Liz Henry struggled with her daughter’s participation. Though she was not entirely unsympathetic to the goals of Redwood Summer, the supervisor firmly believed that the campaign would further polarize an

³⁸ Earth First! Nonviolence Code, adopted early May 1990, featured on various leaflets.

³⁹ Bari, et. al., April 25, 1990, op. cit.

⁴⁰ “Lisa Henry on her 22nd Birthday”, Lisa Henry interviewed by Beth Bosk, *New Settler Interview*, January 1991.

already severely divided community. Lisa Henry's protestations that it was Corporate Timber that was causing the polarization did not change her mother's mind. Additionally, the supervisor felt—with some justification—that taking too strong a stand against working within the system, no matter how imperfect, could seriously jeopardize her standing as an elected official and that she was doing what she could within the confines of the system to demand reform. This divide between radical and liberal, revolutionary and reformist, perspectives was a source of great strain between many would be allied critics of Corporate Timber as Redwood Summer approached.⁴¹

* * * * *

In spite of the nonviolence code, the prejudice against Earth First! remained. Already, on March 8, at an environmentalist protest at the Fortuna CDF office (a very frequent target of such demonstrations), where fifty Earth First!ers had blocked the sidewalk outside the building, local high school students alternated between shouting obscenities and launching eggs and other projectiles at demonstrators. Even TEAM spokesman Ray Miller who was also present, challenging the Earth First!ers directly by giving them redwood seedlings and accusing of them of not knowing how to plant them properly—as if such knowledge qualified one to hold an opinion on P-L's over harvesting of the old growth redwoods—waxed disdainful of the students, arguing that the environmentalists had a right to protest and that opponents of them should not “cower.”⁴² Miller's opinion was not shared by Fortuna Police Chief Lee Evanson who—rather than admonish the students to refrain from violent counterdemonstration, instead blamed Earth First!, declaring:

“These demonstrations are designed to attract media exposure. Earth First! uses unscrupulous tactics, looking to cause trouble so it will get more exposure. It's not surprising that there will be counterdemonstrators, but we don't want it to escalate to violence. From there it only grows, and we'll find the city smack in the middle. With the possibilities of injuries and lawsuits and the police overtime costs, there's no way the city, Police Department, or anyone from Fortuna can win.”⁴³

His only defensive of such one-sidedness was to opine, “It's getting very emotional. The locals here”—(as if the demonstrators weren't local themselves, an all too common prejudice)—“see these kind of people as the enemy, because, after all, timber still puts the bread and butter on the table around here.”⁴⁴

The City of Fortuna carried the anti-environmentalist prejudice a step further. The council instructed City Manager Robert Brown to write to Humboldt State University

⁴¹ Bosk, January 1991, op. cit.

⁴² “Fortuna Draws Mild HSU Rebuke on Protest Issue”, staff report, *Eureka Times-Standard*, March 20, 1990.

⁴³ “Fortuna Wants End to Protests: City Fearful Anti-Logging Actions Could Spur Violence”, by Ed Lion, *Eureka Times-Standard*, March 20, 1990.

⁴⁴ Geniella, March 25, 1990, op. cit.

President Alistair McCrone, “to help with the situation.” Brown explained, “We’re not saying that all the demonstrators came from HSU, but in the letter I just want to say that the city is interested in the safety of the students and our citizens. We don’t want to deny anybody their rights to free speech. We just want to make sure no one gets hurt.”⁴⁵ HSU didn’t take very kindly to being implicated as the primary source for the protests or the suggestion that they were the breeding ground for Earth First!ers however. HSU vice president of student affairs Buzz Webb responded that it was “inaccurate” to connect Earth First! with the institution adding, “Some people unfortunately have the wrong idea (that) the university’s function is to be substitute parents,” as if political protest were equivalent to juvenile behavior and not a time-honored method for redress of grievances.⁴⁶

Redwood Summer’s organizers set out to challenge such growing prejudice against environmental activists. Two teams of attorneys, one based in Humboldt County and the other based in Mendocino County had volunteered their services to combat legal repression against the organizers and the incoming “forest riders”.⁴⁷ The latter team was led by attorney Barry Vogel, who described civil disobedience as a legitimate form of protest, “(which) began with the Boston Tea Party (and) went on to establish religious freedoms, women’s rights, civil rights, and perhaps now the rights of people willing to defend one of the natural wonders of the world.” The legal teams were joined by San Francisco based attorney Susan B. Jordan, who expressed similar sentiments, declaring, “(Redwood Summer is) a brilliant tactic...I’m honored to be a part of it.”⁴⁸

Mendocino County officials only seemed to watch and wring their hands anxiously at the prospect of the summer of protests. Many of them didn’t take too kindly to the increasingly apt comparisons between Redwood and Mississippi Summer. “I have no intention of becoming the ‘Bull Connor’ of California,” declared Mendocino County Undersheriff Alvie G. Rochester, “Both sides have mavericks, and these mavericks are going to create incidents...We’re just hoping cooler heads get together and get these timber issues worked out before summer comes.” Meanwhile, even Norm de Vall, a harsh critic of L-P and G-P lamented that the lack of available law enforcement might require the county to call upon the National Guard thus creating a “Mississippi Summer in Mendocino.”⁴⁹

Redwood Summer’s organizers strongly felt that the comparison between Redwood Summer and Mississippi Summer was directly relevant, because both called for outside assistance, and both were intended to oppose bigotry. In the case of Mississippi Summer, the freedom riders challenged Southern racial prejudice against black southerners

⁴⁵ Lion, March 20, 1990, op. cit.

⁴⁶ “Fortuna Draws Mild HSU Rebuke on Protest Issue”, staff report, *Eureka Times-Standard*, March 20, 1990.

⁴⁷ Bari, et. al., April 25, 1990, op. cit.

⁴⁸ Geniella, March 25, 1990, op. cit.

⁴⁹ Geniella, March 25, 1990, op. cit.

by the entrenched white power elite. In the case of *Redwood Summer*, the bigotry being challenged was “speciesism”. As Darryl Cherney described it:

“Many humans see the Earth and other species as something to be conquered and enslaved...We believe that the Earth deserves civil rights the same as people do...A redwood, a spotted owl, a black bear all have a right to exist for their own sake, irrespective of what value they may have for human profit.”⁵⁰

To be certain, for their part, the Redwood Summer organizers went out of their way to emphasize that there should be no prejudice against timber workers, even those that were prejudiced against environmental activists. Judi Bari stated, “the battle is not between timber workers and the environmentalists. It’s between giant logging corporations and our community.”⁵¹ In a guidebook being prepared for Redwood Summer participants, the organizers made it clear that it was the corporations, not the workers, who were the enemy:

“When you’re sitting in front of a bulldozer or walking a picket line and an angry logger is screaming at you to ‘Get a Job!’ and ‘Go Home!’ it’s easy to forget that timber workers are not our enemies. And when they see thousands of college students and other environmental activists from out of the area coming to the Northcoast threatening their livelihoods (as they see it), it’s easy for them to see us as the enemy too.

“This is a tragic mistake, for workers and environmentalists are natural allies. Loggers and mill-workers are victimized by the giant timber companies. Since their whole way of life—their jobs, homes, families—depends on unsustainable forest practices, we must make the timber companies pay for the education, retraining and job placement needed to cushion the blow of conversion to ecologically health timber practices. It’s easy for us—since our future and our kids’ future does *not* depend on continued over-logging—to demand others to sacrifice for the good of the planet, but without concrete support to make change possible; they will not listen seriously.”⁵²

As for violent behavior, the environmentalists (and IWW members) had already been on the receiving end of it, at least three times in the past year, and law enforcement had turned their heads the other way. “I don’t care what anyone says; this represents a pattern of allowing violence against radicals,” complained Judi Bari. Alvie

⁵⁰ Bari, et. al., April 25, 1990, op. cit.

⁵¹ Bari, et. al., April 25, 1990, op. cit.

⁵² “Workers, Corporations, and Redwood Summer: Whose Side Are We On?”, by the Redwood Summer Coalition excerpt from the Redwood Summer Handbook, second edition, ca June 1990. Emphasis in the original.

Rochester dismissed the criticism, simply declaring, “I just don’t see that.”⁵³ As for violence on the part of potential loose cannons on the demonstrators’ side, Darryl Cherney stressed that the nonviolence code and trainings were specifically intended to weed them out. He indicated that one man had already been instructed to leave after the organizers learned he had incited violence at a previous, unrelated protest.⁵⁴

* * * * *

In spite of all of these efforts, Corporate Timber and its front groups only grew more steadfast in their opposition to Redwood Summer and *Forests Forever*. The corporations’ rhetoric, which sought to divide timber workers and environmental activists grew steadily *more* violent and threatening. This was due in no small part to their very real fear that *Forests Forever* would be approved by the voters, that new regulations would be enacted due to the Northern Spotted Owl, and that Earth First! - IWW Local #1 might actually succeed in organizing a large swath of dissident workers. As a result, G-P, L-P, and P-L were logging at an unprecedentedly frantic pace. According to the Sierra Club state forestry practices chair Gail Lucas, “every available feller, Cat operator and log-truck driver is working full throttle. Workers are coming in from as far away as Colorado and Idaho.”⁵⁵ Judi Bari agreed, confirming that logging on the North Coast was “going full-tilt-boogie.”⁵⁶

If anything, it was Corporate Timber who had a monopoly on violent and divisive rhetoric. John Campbell was especially full of fire and brimstone. In early April, he convened a company meeting in the Winema Theater in Scotia, addressing the assembled workers with a speech intended to incite fear and mob hysteria. The normally defiant Kelly Bettiga, this time seated in the back of the theater, could only sit and watch, his stomach churning at the witch hunt that was being stirred up in front of him. Campbell warned the workers that if the “radical Earth First! initiative”—meaning *Forests Forever*—were passed by the voters, there would have to be layoffs, perhaps as much as half of the workforce. He declared that Scotia had been a happy place before the Earth First!ers had stuck their bloody nose into the town’s business. He described Redwood Summer as the biggest threat to the stability of the Pacific Lumber company and its workforce imaginable. He denounced the “freedom riders for the forest” as being nothing more than watermelons, green on the outside, but all red on the inside.⁵⁷ This was a standard Corporate Timber and Mining talking point⁵⁸, but many of the workers, including the older veteran employees who had lived through much of the Cold War,

⁵³ “Logging Protesters Claim Pattern of Violence”, by Mike Geniella, *Santa Rosa Press Democrat*, March 28, 1990.

⁵⁴ “Lumber Showdown Feared This Summer”, by David Forster, *Eureka Times-Standard*, April 22, 1990.

⁵⁵ “Lost in the Woods”, by Greg Goldin, *Los Angeles Weekly*, September 7, 1990.

⁵⁶ “Redwood Summer Timeline”, by Karen Pickett, *Earth First! Journal*, Samhain / November 1, 1990

⁵⁷ “Harris, op. cit., page 310-11.

⁵⁸ Deal, Carl, *The Greenpeace Guide to Anti-Environmental Organizations*, Berkeley, CA., Odonian Press - The Real Story series, 1993, pages 7.

accepted it with cheers and applause. Then, Campbell revealed that he was prepared for the impending “communist” invasion: he had hired a private security firm full of former CIA and FBI agents.⁵⁹

Not to be outdone, the *Humboldt Beacon and Fortuna Advance*’s Christian fundamentalist editor, Glenn Simmons, wrote a sneering dismissal of Earth First!’s non-violence pledge, asking “what if the Earth First! demonstrations themselves are the cause of violence?” which was akin to an apologist for rape asking “what if the victim brought it upon themselves?” and was an all too common right wing response to organized resistance to the status quo from political forces on the left.⁶⁰ Simmons, naturally, continued to accept full page advertisements from both P-L and L-P, showing precisely where his loyalties lay.

TEAM geared up for more counterdemonstrations at Earth First! rallies, particularly in Humboldt County.⁶¹ WECARE, meanwhile, published a letter to its members entitled “A Word to the Wise” denouncing Redwood Summer with falsehoods and half truths such as:

“There are indications that the event has been in the planning stage for three years, with some 1,200 letters sent to Universities nationwide. Training sessions are now occurring and activities are to begin with the end of the school year (the last week in June)...You should be alerted to the fact that at recent protests in Oregon, films have shown the same faces as have been noted in Humboldt County. This appears to be a well-orchestrated production.”⁶²

Redwood Summer’s organizers could only dream about being so lucky or fortunate. Their efforts were exceptional given their incredibly limited shoestring budgets. The notion that the organizers and demonstrators were part of some roving band of marauders that traipsed around the Pacific Northwest like a mob of heavies was a myth that had been applied to dissidents for generations, and not just environmentalists. The idea that Redwood Summer had been devised some three years previously was laughable, though, certainly the vision of being able to mobilize thousands of supporters within the area, let alone more from outside was always in the back of the minds of many Earth First!ers, though never in their wildest dreams did many think they could actually achieve it.

WECARE urged its members to not engage with demonstrators, instead suggesting that the former use surveillance to keep tabs on the latter:

⁵⁹ “Harris, op. cit., page 310-11.

⁶⁰ “Actions, Words Denote Hostility”, editorial by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, March 29, 1990.

⁶¹ “Timber Workers Demonstrate”, by Thomas Johnson, *Humboldt Beacon and Fortuna Advance*, March 29, 1990

⁶² “WECARE About Violence...”, by WECARE, reprinted in *Country Activist*, June 1990.

“Be aware of strange vehicles in the area where you are working. Note description and license numbers.

“Note flyers announcing an activity. Notify the Sheriff’s office of these, do not assume they know about them...Keep a camera in your vehicle and take pictures of same. People occupying offices, using glue in office machinery, disrupting operations.

“We have been advised that violent reaction may do more harm than good. The authorities must remain neutral until the law is broken and you may be the target of their actions if you break the law. Earth First! would gain sympathy if they were the target of violent reaction.

“We have also been advised that the media does not have the right to trespass on your property. Landowners can notify the media in advance that they do not have permission to trespass. This can be done in writing, preferably by registered mail.”⁶³

While this may have seemed like an appeal to reason, directed at the loose cannons on the right, if one read between the lines in the last paragraph it could easily be interpreted as a roundabout way to urge that the vigilante elements keep their activity “underground”.⁶⁴

In Mendocino County, embattled IWA Local 3-469 representative Don Nelson continued his further realignment into the Corporate Timber camp by dispatching two of loyal followers, grader Dave Bowman and machinist Richard Hargreaves, to the *nonunion* Harvest Market to intimidate two young women who were gathering signatures for *Forests Forever*. The nearby Albertsons had illegally chased away fellow signature gatherers after a mere seven phone calls from alleged loggers complaining about it.⁶⁵ Nelson claimed that Bowman and Hargreaves were distributing educational materials and were themselves threatened by “one of the so-called IWW spokesmen” and demanded a retraction from Bruce Anderson who had alerted his readers to Nelson’s actions in the *Anderson Valley Advertiser*.⁶⁶ The “supposed IWW spokesman” that Nelson complained of was, in fact, Anna Marie Stenberg, who was approximately “half the size of each” of the two mill workers, and for whom Nelson had an intense dislike due to her role in exposing his collaboration with G-P over the PCB spill. Stenberg had asked the two millworkers on whose authority they were acting and was ignored, at which point she contacted one of the IWA dissidents whom the IWW had been assisting in their OSHA hearing. Stenberg’s source revealed that Nelson had not

⁶³ Ibid.

⁶⁴ Bari, February 2, 1994, op. cit.

⁶⁵ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, March 28, 1990.

⁶⁶ “A Word from Mr. Sell-Out”, letter to the editor by Don Nelson, *Anderson Valley Advertiser*, April 11, 1990; the title of the letter is obviously an addition by Bruce Anderson.

received sanction by a vote from Local 3-469's membership and was acting autocratically. Stenberg presented this information to Bowman and Hargreaves who—lacking any further recourse—stomped off in a huff.⁶⁷

Doug Bosco was more than willing to add his voice to the chorus condemning Redwood Summer, for numerous reasons. These included his vulnerability in the upcoming election, the increasing popularity of *Forests Forever*, and the threat that the campaign posed to his now increasingly vain efforts to resuscitate the failed timber “pact.” The congressmen accused the incoming “freedom riders” of increasing tensions in the timber dependent communities of the North Coast, stating, “They will be intruders and outsiders, and we don’t need them or want them. If they come, they’ll cause trouble...we have more than our supply of activists. Let them find causes elsewhere.” Dan Hauser concurred, proclaiming, “The tensions are so high now, I don’t understand why more people haven’t been hurt. Adding large numbers of people to the scene is dangerous.”⁶⁸

Stoking the fires still further, on March 28, L-P announced that they would be laying off still more mill workers—this time in their Covelo, Ukiah, and Oroville facilities.⁶⁹ This announcement came on the heels of the company announcing *yet another* quarter of record earnings.⁷⁰ Joe Wheeler informed several L-P mill workers that, beginning in November, the graveyard shift would be cut from the Ukiah facility. The 93 acre Covelo mill would be shuttered for two months, and the Oroville plant would eliminate a shift. Rumors were circulating that the Willits stud mill would also close, but Tucker denied them.⁷¹ Tucker barely even tried to deflect the inevitable chorus of resentment opining, “I know the political timing is lousy...but business and politics at this juncture don’t mix.”⁷²

It was hard to see what part of this business decision *wasn’t* political, however. As if that weren’t bad enough, Eel River Sawmills was planning to shut down their mill in Alton, at the junction of Highways 36 and 101 in Humboldt County, near the site of the recent Earth First! log truck ambush.⁷³ At least the L-P and Eel River workers were warned of their plight. On April 12, the Redwood Empire owned lumber mill in Philo shut down without any notice to the workers or even a hint that its closure was

⁶⁷ “Bruce Anderson’s Reply”, by Bruce Anderson, *Anderson Valley Advertiser*, April 11, 1990.

⁶⁸ “Timber Talks Dying, Lawmakers Say: Environmentalists Take No-Deal Stance”, by Mike Geniella, *Santa Rosa Press Democrat*, March 28, 1990.

⁶⁹ “L-P May Cut Shift at Ukiah Mill: 200 Workers Facing Layoffs Countywide”, by Maureen Connor-Rice, *Ukiah Daily Journal*, March 28, 1990; “LP Cutting 195 Jobs: Announcement Shocks Timber Communities”, by Mike Geniella, *Santa Rosa Press Democrat*, March 29, 1990; and “Valley L-P Mill Closures Shock Lawmakers and Locals”, by Keith Michaud, *Fort Bragg Advocate-News*, April 5, 1990.

⁷⁰ “Stockholders Get Better News: L-P Reports Record Earnings”, by Mike Geniella, *Santa Rosa Press Democrat*, March 29, 1990.

⁷¹ “Louisiana-Pacific Layoffs Announced in County”, staff report, *Willits News*, March 30, 1990.

⁷² Bari, January 2, 1991, op. cit.

⁷³ Geniella, March 29, 1990, op. cit.

imminent.⁷⁴ There were even rumors flying that the Miller-Rellim mill in Del Norte County would cease operations.⁷⁵ In a “see, we told you so!” moment, the *Santa Rosa Press Democrat* went in to Corporate Timber talking-point autopilot very quickly and excoriated the environmentalists for refusing to compromise, but they had spoken too soon.⁷⁶

These mill closures came in spite of the unsurpassed logging rates then currently underway, and there is little doubt these actions served to either increase Corporate Timber’s bottom line, incite divisions between millworkers and environmentalists, or both. Not surprisingly, L-P spokesmen, including both Tucker and Wheeler, blamed the eminent listing of the spotted owl as an endangered species, challenges to THPs, and the expansion of park and wilderness areas for the closures⁷⁷, charges that were blatantly false, and—in least in the case of the Covelo facility, easily debunked.⁷⁸ L-P even admitted that some of the jobs were being replaced by automation, which had zero connection to environmental factors.⁷⁹ “Woods” Sutherland declared that the corporation, “seem(ed) to be thumbing its nose at the rest of the industry with its patently callous decision.” Gail Lucas suggested that the actual reason for the layoffs was clearly a result of the company’s quest for cheap, Mexican labor, and she debunked L-P’s claim that it was logging sustainably, arguing, “State figures for Mendocino County clearly show industry already has been cutting at more than twice the growth rate.”⁸⁰

As far as Hauser and Keene were concerned, these companies, especially L-P, had now pushed the envelope too far. It was bad enough that the environmentalists sought to use the initiative process to make an end run around the legislative process (and the inside deals that such implicitly allowed). Now L-P was violating the spirit of the so-called “Timber Pact” by attempting an end run around the political process from the other direction. (Couldn’t they see that this was an election year?) Incensed, Barry Keene lashed out at both L-P and Earth First!, declaring:

⁷⁴ “Philo Mill to Close, Workers Told”, by Keith Michaud, *Ukiah Daily Journal*, April 13, 1990; (Redwood Empire owned this one); “Landmark Phil Mill Shuts; 35 Out of Work”, by Mike Geniella, *Santa Rosa Press Democrat*, April 14, 1990; “Philo Mill Closes, Leaves 40 Workers Without Jobs”, by Keith Michaud, *Mendocino Beacon*, April 26, 1990.

⁷⁵ “Miller-Rellim Denies closure Plans, by Andrew Oppmann Jr., Crescent City Triplicate, May 9, 1990.

⁷⁶ “In Timber Battles, Workers Always Lose”, editorial, *Santa Rosa Press Democrat*, March 30, 1990.

⁷⁷ “Ecologists Blamed for Timber Layoffs”, by Jeff Peline, *San Francisco Chronicle*, March 29, 1990, and “Eminent Domain Seizure Proposed”, by Les and Genny Nuckolls, *Willits News*, April 6, 1990.

⁷⁸ “Trucker Says, ‘Good Riddance’”, by Mike Geniella, *Santa Rosa Press Democrat*, April 16, 1990.

⁷⁹ “Automation Taking 15 Jobs at L-P Mill” (“L-P Letter Points to Automation: 15 Workers to be Gone in 1st Round of Layoffs” in some editions), by Mike Geniella, *Santa Rosa Press Democrat*, April 2, 1990.

⁸⁰ Geniella, March 29, 1990, op. cit.

“(This is) an all-out war between extremists...Once again, innocent workers and their families are caught in the crossfire of hostile artillery.

“The workers and families are suffering at the hands of some pursuing profits at whatever human cost, and of others desiring to end all human activity in the woods...With its recent manufacturing moves into Mexico, L-P’s timing couldn’t be worse. I can’t imagine that people won’t regard the two events as related.

“It looks to me like the company is engaging in Kamikaze public relations...Many who live in timber-dependent areas are beginning to feel cornered by non-negotiable initiatives and strident environmentalists who they perceive are aiming to wipe out their jobs...and now the jobs are going.

“Add the recent calls by environmental extremists for a summer of civil disobedience and you begin to see the real potential for physical harm.”⁸¹

Dan Hauser was no less angry. He rightfully criticized L-P for its greed, stating, “These giant corporations have absolutely no notion of moral responsibility to their employees...It was a stupid move on (L-P’s) part.”⁸² He too worried that the corporation’s arrogance would doom the “Timber Pact”.⁸³

Doug Bosco also weighed in on the closures, and for once, did *not* shift the blame to the environmentalists. “L-P went out of its way to make a cut-and-dried corporate decision and then tried to use the usual whipping boys to make its case,” he declared, and he had good reason to do so; politically he had much to lose.⁸⁴ He faced political challenges from the left by Lionel Gambill, again, as well as another one of Judi Bari’s friends, Darlene Cormingore, an up and coming Peace and Freedom Party candidate from Sonoma County. He also faced challenges ostensibly from the right by two potential Republican challengers, Frank Riggs and Tim Stoen.⁸⁵ However, Tim Stoen, a Ukiah attorney who was most famous for his association with Jonestown and the People’s Temple, argued that when a corporation like L-P makes “huge profits by extracting resources from a community, that company owes it to the community to maintain jobs, as a moral issue,” thus staking out a position to Bosco’s *left* politically leaving him nowhere to go, except further to the right where Frank Riggs awaited him.⁸⁶

The revelations about L-P’s “Mexican Adventure” shocked workers (and all of those who claimed to speak for them) as well. Trucker Wally Edwards who had hauled logs

⁸¹ Michaud, April 5, 1990, op. cit.

⁸² Michaud, April 5, 1990, op. cit.

⁸³ “Hauser Blasts L-P’s Sawmill Closure Plan”, by Andrew W Oppmann Jr., *Crescent City Triplicate*, April 4, 1990.

⁸⁴ Geniella, April 16, 1990, op. cit.

⁸⁵ Geniella, March 29, 1990, op. cit.

⁸⁶ “Louisiana-Pacific Action Condemned”, by Keith Michaud and Lois O’Rourke, *Fort Bragg Advocate-News*, April 5, 1990.

around the North Coast for a quarter century angrily interjected, “I’m glad they’re leaving. A big corporation like L-P has never done anything for this country. Small businesses are what built this country, and now the corporations are tearing it down. It’s not just L-P, *it’s all of them!*”⁸⁷ Even TEAM spokesman Don Stamps found himself in a position of rare agreement with the environmentalists, and he expressed public disdain at Tucker’s crassness, although for entirely different reasons: L-P’s actions were driving potential recruits into the Earth First! - IWW Local #1 camp instead.⁸⁸ Sure enough, Gyppo Owner Walter Smith—though he had been grumbling about L-P privately for years—now decided to openly criticize L-P.⁸⁹ Although he seemingly stood alone, Smith knew he had the tacit support of many of his fellow timber workers:

“My position is, as part of the industry, that I’m anti-corporation and pro-industry. The industry is really us: the workers and the gyppos, not the corporations. The corporations have come here and are shipping out all the money to other places, and they’re so diversified that they’re not just timber companies; they have holdings and interests in other things. We’re really the industry, and it’s our community that’s at stake here, and the workers need to put up a united front against the corporations. They need to say, “Get out of here. We will buy you out; we will run it ourselves, and we will do a much better job, because we know what’s out there, and we know what needs to be done to keep it around.”

“The workers have to be able to control their own destiny. At this point, the corporations and the individuals that have the money and the power have all gone kind of hog wild, and they really don’t worry about us at all. We’re just incidental to their making money.”⁹⁰

As Bruce Anderson had suggested, Walter Smith was by no means alone in his sentiment, stating, “Lots of other loggers, log haulers, millworkers, and gyppos agree with (him), but have to keep quiet because L-P will definitely not hesitate to cut them off at the knees.”⁹¹ Smith agreed, stating, “It’s a united front when you talk on the landing, but it’s a different united front when you talk in public.”⁹² Sure enough, Smith had faced blacklisting by L-P and its front groups for his criticisms.⁹³ So, in an effort

⁸⁷ Geniella, April 16, 1990, op. cit. Emphasis added.

⁸⁸ “Agreeing With Tucker’s View”, letter to the editor by Don Stamps, *Eureka Times-Standard*, February 23, 1990.

⁸⁹ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, January 24, 1990.

⁹⁰ “A Logger Speaks Out – An Interview with Walter Smith”, by Bruce Anderson, *Anderson Valley Advertiser*, July 4, 1990.

⁹¹ Bruce Anderson, January 24, 1990, op. cit.

⁹² Bruce Anderson, July 4, 1990, op. cit.

⁹³ Bruce Anderson, January 24, 1990, op. cit.

to protect his seven workers and partner Ken Smith from further retaliation, he had sold his share of the company to his now ex-partner in January.⁹⁴

However, in this case, more than a few L-P workers *were* angry enough to denounce the company secretly. One anonymous L-P employee from Ukiah even contacted Judi Bari and told her, “We need to have a demonstration and I don’t know how to organize one. Will you?”⁹⁵ As a result, Earth First! – IWW Local #1, as Judi Bari described it, officially “came out” at the April 3, 1990 Mendocino County Board of Supervisor’s meeting, reiterating the still unanswered demands that the County exercise its power of eminent domain to seize L-P’s holdings and operate them in the public interest.⁹⁶ Joining Judi Bari, Darryl Cherney, Betty Ball, Louis Korn, and Rick Cloninger was Walter Smith.⁹⁷

Don Nelson sought a piece of the action himself, but Judi Bari wasn’t buying it. Nelson made a public appearance prior to the Board of Supervisor’s meeting, joining Bari, Betty Ball, and Supervisor Norm de Vall for a press conference condemning L-P’s move to Mexico. When Nelson reported that he had sent a letter to Doug Bosco asking the congressman to intervene to thwart the company’s outsourcing, Bari denounced him as “a wimp, a simpleton, a company hack, and an all-around corporate collaborator for being so silly as to approach a corporate lackey like Bosco for assistance.” Nelson, left in disgust, accusing Bari of lacking credibility and describing her as a liar, a charge that more accurately fit Nelson himself. Supervisor de Vall’s own performance at this event was largely inert, though he seemed mildly sympathetic to the call for eminent domain.⁹⁸ The normally more conservative Jim Eddie, by contrast, whose district included the already struggling community of Covelo, which was located near the Round Valley Indian reservation, lamented that L-P’s decision would “devastate Covelo.”⁹⁹

The Supervisors’ meeting itself was a hitherto unprecedented public display of unity between timber workers and environmentalists. Judi Bari reminded the board about the eminent domain proposal, arguing that it was not even that radical a measure, that L-P was committing corporate crimes, and “sucking the life blood out of the community.” She declared, “You thought we were pretty much off the wall. Now (you must realize) it’s probably the only way to save our county.”¹⁰⁰ She also cited the case

⁹⁴ “L-P Critic Sells Logging Firm, Cites Pressure”, by Mike Geniella, *Santa Rosa Press Democrat*, January 17, 1990. L-P of course denied that they had put any pressure on Smith.

⁹⁵ “Redwood Summer Bombing: Police Framing, Not Investigating”, by Richard Johnson, *Mendocino Country Environmentalist*, July 1, 1990.

⁹⁶ Bari, January 2, 1991, op. cit.

⁹⁷ “Louisiana-Pacific Roasted by Activists”, by Rob Anderson, *Anderson Valley Advertiser*, April 4, 1990.

⁹⁸ “Here and there in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, April 4, 1990.

⁹⁹ Geniella, March 29, 1990, op. cit.

¹⁰⁰ “Earth First! Protests L-P Layoffs; Mill Irked at Criticism: Still ‘Good Citizen’”, by Mike Geniella, *Santa Rosa Press Democrat*, April 4, 1990.

of Fortunado Reyes as specific proof that L-P treated its workers as exploitatively as they treated the forests. “It’s not environmentalists versus timber—it’s corporate greed versus the local community,” she said.¹⁰¹ Bari described the inherently destructive and unsustainable nature of L-Ps “logging to infinity” forestry, warning that this year they would hit the “timber gap” where they would run out of marketable logs. She admonished the board, “Are we going to wait until they finish or are we going to stop them now?”¹⁰²

Bari was very quickly followed by Betty Ball, who disputed the rhetoric that environmental activists were responsible for the mill shutdowns:

“It’s not the environmentalists who have been overcutting...How stupid do they think we are? There could have been forests forever here. There could have been jobs forever. Logging is one of the oldest and finest professions on the North Coast, but the industry has ruined it for everybody...It’s outrageous what they’re doing.”¹⁰³

Anna Marie Stenberg read the Georgia-Pacific millworkers statement, issued the previous December in response to Don Nelson, to emphasize the point that the latter did not adequately represent the interests of front line mill workers.¹⁰⁴

Rick Cloninger informed the Board that L-P was now shipping even its wood chips—produced primarily from pecker poles, baby trees from the local forests—to power biomass plants in Tracy and Samoa. He accused Barry Keene of being in the pocket of corporate timber and that his attempts at “compromise” were nothing but a smoke-screen.¹⁰⁵ “Our trees are being used to provide power for the Sacramento Valley. Don’t let L-P chip their way to another year of record profits,” implored the Laytonville resident.¹⁰⁶ “L-P must stop seeing everything with dollar signs,” he said.¹⁰⁷ Cloninger noted that two trucking operations, Dutra and Poole, were most likely transporting the chips out of the county. His spouse, Kathy Cloninger, who operated a recycling center in Laytonville, said that they had learned of this, because L-P’s biomass plant in Tracy was located right next door to Owens-Rockway where the Cloningers took their glass for recycling.¹⁰⁸

True to his word, Walter Smith charged L-P with logging the land to death. He drew a contrast between land he had logged in sustainably in 1982, and L-P’s recent

¹⁰¹ Rob Anderson, April 4, 1990, op. cit.

¹⁰² “Eminent Domain Seizure Proposed”, by Les and Genny Nuckolls, *Willits News*, April 6, 1990.

¹⁰³ “Louisiana-Pacific Action Condemned”, by Keith Michaud and Lois O’Rourke, *Fort Bragg Advocate-News*, April 5, 1990.

¹⁰⁴ “‘Stop L-P’ – Supervisors Told”, by Tom Fristoe, *Mendocino Observer*, April 5, 1990. It should be noted that Darryl Cherney’s first name is misspelled “Darrel” in the article.

¹⁰⁵ Rob Anderson, April 4, 1990, op. cit.

¹⁰⁶ Nuckolls and Nuckolls, April 6, 1990, op. cit.

¹⁰⁷ “Board Asked to Take Over L-P: Request Triggered by Cutbacks”, by Keith Michaud, *Ukiah Daily Journal*, April 3, 1990.

¹⁰⁸ Fristoe, April 5, 1990, op. cit.

“moonscaping” of that very same land nearly eight years later.¹⁰⁹ He was eloquent in his condemnation of the corporation stating, “L-P says the reason (for closing its mills) is that environmentalists are preserving the forests. The truth is that they are logging off the land and then subdividing and selling it...The forest service is giving up as much timber as it can.” Smith submitted that the reason L-P was closing its Covelo facility is that there were no more trees there. He revealed to the board that when he had worked for L-P that they had accused him of “not being a team player.” Smith countered that his “team” was the L-P mill workers. “The latest assault is the most painful since it comes from the very people who should be most concerned for our welfare—our employers,” declared Smith. Continuing, he admonished:

“(They have) exported logs to Mexico, exported jobs to Mexico, closed mills, and (made) meaningless agreements...the Millworkers are the economic backbone of this County. The forest is the heartbeat of rural nature in this county. Join my team and ban raw log exports and stop the liquidation of our forests.”¹¹⁰

After all of this, Darryl Cherney once again proved to be the show-stopper reprising his performance of *El Pio*¹¹¹, which, according to Judi Bari, made everyone, except Supervisor Marilyn Butcher, smile.¹¹²

Don Nelson was also not smiling in the wake of the meeting, declaring:

“In the recent article on the occupation of the Mendocino County Supervisor’s [sic] chambers by ‘Earth First’, [sic] repeated reference [sic] is made to labor leaders as being a part of that group. Did anyone in fact see any bonafide labor representative in that group?...

“The so called [sic] IWW representative has no workers to represent. She was told that quite clearly by Judge Goldstein when she tried to intervene in the Georgia Pacific PCB incident, when he said that ‘The International [sic] Workers of the World, Local Union No. 1 do not fall within the definition of a labor organization.’...

“As a matter of policy the IWW does not seek to organize workers and negotiate contracts because they believe in the complete abolition of capitalism and the complete abolition of the wage system. They are not represen-

¹⁰⁹ Rob Anderson, April 4, 1990, op. cit.

¹¹⁰ Nuckolls and Nuckolls, April 6, 1990, op. cit.

¹¹¹ “Earth First! Sings Protest at L-P Layoffs”, (“Earth First! Protests L-P Layoffs: Mill Irked at Criticism: Still ‘Good Citizen’” in some editions), by Mike Geniella, *Santa Rosa Press Democrat*, April 4, 1990.

¹¹² Bari, January 2, 1991, op. cit.

tatives of organized labor nor of lumber workers. On the other hand, the International Woodworkers of America is a bona fide labor organization.”¹¹³

Nelson’s claims were preposterous and untrue. His dismissal of the IWW was no doubt lifted from the pages of various (poorly researched) history books whose command of the facts were suspect to say the least. The IWW had, in fact, negotiated *many* contracts over its history and still does so. The rest of Nelson’s statements were, of course, only true on paper at best. And if the IWA was “bona fide” it left a lot to be desired, even as far as class collaborationist unions go. Bruce Anderson, at least, responded to Nelson and reminded him that nowhere in his screed did he actually address any of the issues raised by Bari, Earth First!, or the IWW at the meeting.¹¹⁴ Nelson spoke favorably of Walter Smith’s presence, but he might have wanted to ask the former gyppo owner before invoking his name, because the latter was in near solid agreement with Bari on the issue.¹¹⁵ And, if the IWW was not a “bona fide” labor union, they sure as hell sounded a lot more like one than Don Nelson’s IWA in their declarations of support for Redwood Summer:

“The exploitation of natural resources by the lumber companies is inevitably linked to the exploitation of labor...The Wobblies are pleased to work with Earth First! and local community groups in this campaign to save trees and jobs...

“We support real democracy in the workplace by putting all decision-making (and profits) into the hands of those who actually do the work. This is also the best assurance against environmental destruction, for the workers have an overwhelming self-interest in promoting safe and sustainable forms of production. After all, it’s the workers and their families who, under our current for-profit system, suffer the worst effects from pollution and other work-related health hazards.”¹¹⁶

Judi Bari fired back against the anti-Redwood Summer rhetoric in a guest editorial in the *Santa Rosa Press Democrat*, declaring:

“This type of doublespeak seriously misrepresents the very real and intense struggle that is going on in the redwood region. It is time to set the record straight...

¹¹³ “Bona Fide Labor Leader”, letter to the editor, by Don Nelson, *Anderson Valley Advertiser*, April 11, 1990; *Willits News*, April 11, 1990; *Mendocino Commentary*, April 12, 1990; *Ukiah Daily Journal*, April 13, 1990; *North Coast News*, April 19, 1990; and *Country Activist*, May 1990.

¹¹⁴ “Bruce Anderson’s Reply”, by Bruce Anderson, *Anderson Valley Advertiser*, April 11, 1990.

¹¹⁵ “Face Timber Facts”, guest editorial by Walter Smith, *Santa Rosa Press Democrat*, April 8, 1990.

¹¹⁶ “The Redwood Summer Coalition”, from an undated IWW leaflet, published, ca. May 1990, courtesy of Allan Anger’s personal archives.

“According to the Mendocino County Forest Advisory Committee, L-P is cutting at more than twice the rate of growth in our county’s forests...In 1975, the Oswald Report predicted that, if harvest rates continued, a sharp fall-down in saw-timber supply would hit in 1990. Young stands would be growing but there wouldn’t be enough mature trees to keep the area’s mills going. This prediction was right on target, but no one predicted L-P’s unconscionable response to the problem...

“The loggers know this as well as the environmentalists and are no happier about it. ‘We’re killing babies,’ one logger told me. ‘I can’t feel good about what we’re doing anymore.’

“L-P is engaged in a mop-up operation in Mendocino County, stripping our children’s trees and jobs and threatening our area with the collapse of our forest ecosystem. Earth First! could disappear tomorrow and the mills would keep closing.”¹¹⁷

Bari went on to explain the call for Redwood Summer:

“Our call for mass protest this summer is a last ditch attempt to slow the corporations down to sustained yield before there is nothing left to save. It is not directed against the timber workers—every day we slow the corporations down is another day employees can collect a paycheck before the final layoff.

“But Barry Keene, Don Nelson, and others have been portraying this struggle as a ‘war’ between workers and environmentalists. They have been making statements that would incite people to violence against us, and this must be stopped.

“We are calling only for nonviolent protest this summer. We will be providing nonviolence training and strict nonviolence guidelines. We stand by our unbroken record of four years. We have held hundreds of protests, and, although violence has been directed against us, we have never initiated violence against others...

“The real reason they are so upset with Earth First! is because we have proposed a strategy that just might work.”¹¹⁸

Don Nelson couldn’t bear to let Bari have the last word, so he fired off a guest editorial of his own, which the *Press Democrat* published two weeks later. Once again, however Nelson mostly engaged in ad hominem attacks and peppered those with no shortage of self aggrandizing half-truths aimed to make himself look like the *real* voice

¹¹⁷ “Earth First! Replies to Critics”, by Judi Bari, *Santa Rosa Press Democrat*, April 10, 1990.

¹¹⁸ Bari, April 10, 1990, op. cit.

of the timber workers on the north coast. His first shot was to once again accuse Bari of misrepresenting the facts, which was a clear case of the pot calling the kettle black, because his very next statement was, “No one has accused Earth First! of being responsible for Louisiana-Pacific Corporation’s actions.” Evidently Nelson was unaware of the dozens of comments uttered by WECARE, Candy Boak, Harry Merlo, Glennys Simmons, Shep Tucker, and Joe Wheeler—all unsavory characters with whom he was now associating—over the course of the previous two years saying essentially just that. Nelson then took credit for publically denouncing L-P’s overcut, which was not really earth shattering news, because practically *everybody* had done that. He then went on to credit Barry Keene for attempting to craft legislation against over-cutting since as early as 1973. While that may have been technically true, Keene’s language was always based on the notion that corporate timber was a given, and in any case his legislation had been weak and ineffective.¹¹⁹ At this point Nelson went completely over the edge, stating:

“To further insult us, they claim that they are the true representatives of the people.

Who are they? When were they elected by anyone? When have they shouldered the responsibility for their actions? Why are they trying to cause workers to lose money and work? Why are they trying to provoke the workers? Is it because they still really believe what their mentor, Dave Foreman, thinks and promotes? Bari has proclaimed herself as taking a nonviolent approach to resolving an overcut problem by L-P and Pacific Lumber. However, she attacks everyone.”¹²⁰

This was, of course, absurd; there was absolutely *no record* of Judi Bari having attacked *anyone*, let alone *everyone*, unless Nelson was equating legitimate criticism of half-truths, falsehoods, and unethical behavior, something Nelson had developed a penchant for by this time. Nelson’s repeated insistence that Bari “had not been elected” deliberately distracted attention away from the open secret that Nelson had utterly lost any credibility he had with his own rank and file, let alone anyone else other than the apologists for Corporate Timber. Naturally he neglected to mention any of this in his response to Bari. Instead, Nelson regurgitated a series of statements from various Earth First!ers, including Dave Foreman, Paul Watson, and Darryl Cherney, taken from an article by Michael Parfit in *The Smithsonian* and quoted grossly out of context.¹²¹

Nelson’s attempt to isolate the Redwood Summer organizers didn’t work, however. At least one reader, M. Martin, in a letter to the editor of the *Press Democrat* took Nelson to task for the latter’s letter excoriating Judi Bari and attempted to remind him

¹¹⁹ “Who Elected Earth First!”, by Donald R Nelson, *Santa Rosa Press Democrat*, April 26, 1990.

¹²⁰ Don Nelson, April 26, 1990, op. cit.

¹²¹ Don Nelson, April 26, 1990, op. cit.

that it was L-P that closed the mills, not Earth First!.¹²² Potter Valley resident Michael B. Ward also revealed the shallowness of Nelson's statements, drawing attention to L-P executives' "fancy...multi-million dollar, tan and orange, corporate jets that fly in and out of the Ukiah airport," and the "even fancier looking Ranger helicopters L-P executives use to fly out of the local mills," which was ironic given the corporation's cries of poverty. He made it clear that he was, "happy to see environmentalists and loggers working together," and guessed that "they (were) really fighting for the same thing: more trees."¹²³

Meanwhile, Don Nelson found *his* list of allies shrinking steadily. On April 23, the Mendocino County Democratic Party Central Committee voted 10-3 to endorse *Forests Forever*. The three votes against the endorsement came from Don Nelson, Harry Bistrin, and Dan Hoy. Bistrin's dissenting vote was likely made via instructions from Doug Bosco for whom the former was a newly appointed local representative. Bistrin also excoriated the majority for not endorsing Bosco's reelection campaign, choosing instead to support Lionel Gambill. That a majority of the committee had refused to endorse Bosco was a testament to growing rank and file opposition within the Democratic Party to his unfettered allegiance to corporate timber.¹²⁴ Nelson's opposition to the majority was also inevitable, as he had clearly embraced the role as the "union" front-man for big timber, and to drive the point home, he made a huge production out of "resigning" from the committee, declaring the majority a collection of "non-working elitists."¹²⁵

Nelson's "resignation" was no less ineffective at turning folks against either Redwood Summer or *Forests Forever*. Another one-time Nelson ally, Roanne Withers, who was a fellow Democratic Party Central Committee member declared (in a letter sent to the *Santa Rosa Press Democrat* which the latter refused to publish), that Nelson's resignation was "the only positive thing he has done for his labor constituents in a long time", citing all of his past betrayals of the same, from his refusal to honor the UFCW picket lines in Fort Bragg to the abandonment of the G-P mill workers hit by the PCB spill as evidence. She also debunked Nelson's declaration of the majority's "elitism" by pointing out that they consisted of "a union shop steward, a bookkeeper, a typesetter, (multiple) attorneys, an innkeeper, an auto-mechanic, and Mendocino County Supervisor (Norm De Vall).¹²⁶ Earth First!er Bill Evans went one step further and dismissed Nelson's resignation as grandstanding.¹²⁷ Nelson's bark once again proved to be worse

¹²² "Nelson's Disservice", letter to the editor by M. Martin, *Santa Rosa Press Democrat*, May 23, 1990.

¹²³ "L-P: Our Largest Unemployer", by Michael B. Ward, *Anderson Valley Advertiser*, April 11, 1990, and *Ukiah Daily Journal*, April 13, 1990.

¹²⁴ "Here and There in Mendocino County", by Bruce Anderson, *Anderson Valley Advertiser*, April 25, 1990

¹²⁵ "My Resignation", letter to the editor by Don Nelson, *Mendocino Beacon*, June 3, 1990.

¹²⁶ "Thanks Don", letter to the editor by Roanne Withers, *Anderson Valley Advertiser*, May 2, 1990.

¹²⁷ "Maintain Order", letter to the editor by Bill Evans, *Willits News*, May 9, 1990.

than his bite, however, as he rejoined the committee (“slunk back” in the words of Bruce Anderson) one month later.¹²⁸

* * * * *

There was one important figure who *was* swayed by the negative rhetoric against Redwood Summer, however. Shortly after the Mendocino County Supervisors’ meeting, Gail Lucas issued a public statement condemning the Mississippi Summer of the California Redwoods, proclaiming:

“While we cannot dispute Earth First!’s definition of the problem, we do not agree with their solution...We believe that what is needed is action at the polls by the people of the state of California, not recruits who, however well-intentioned or well-briefed in non-violent protest, present a potential for violence...The planned confrontations (sic) will not save trees. They instead could generate strong antagonism from a sizable portion of the community with whom environmentalists are presently trying to establish a dialog.”¹²⁹

Lucas’s statement was quickly bolstered by a letter of support from Jerry Merrill, the executive director of the Planning and Conservation League.¹³⁰ The national Sierra Club, Sierra Club California, and the Redwood Chapter of the Sierra Club followed this up with a statement distancing themselves from “illegal acts, including civil disobedience” arguing that interested persons should channel their efforts into supporting the electoral campaign to pass *Big Green* and *Forests Forever*.¹³¹

Various Earth First!ers reacted to Lucas’s sudden betrayal in various ways. Judi Bari quickly accused her of “spending too much time in smoke-filled rooms with Keene, Hauser, and Don Nelson instead of listening to her own membership,”¹³² and further retorted:

“This is not going to make one iota of difference in what we do, or in how many people come. We didn’t ask for their endorsement, and we don’t care if they condemn it. Although I respect the Sierra Club’s efforts, if working through the system did as well as Gail Lucas says it does, then we wouldn’t be in this desperate situation.”¹³³

¹²⁸ “Nelson back on Democratic Committee”, by Will Behr, *Mendocino Beacon*, May 31, 1990.

¹²⁹ “Sierra Club Cuts Radicals’ Plans for Logging Protest”, by Mike Geniella, *Santa Rosa Press Democrat*, April 15, 1990.

¹³⁰ “Fight Over Mississippi Support; Splinter Group at ‘War’ Against Companies”, by Mike Geniella, *Santa Rosa Press Democrat*, April 17, 1990.

¹³¹ “Sierra Club Opposes Redwood Summer”, *Willits News*, June 13, 1990.

¹³² “‘Mississippi Summer’ Stirs Sierra Club Split; Local Leaders Irked by Press Release”, by Judy Nichols, *North Coast News*, April 25, 1990.

¹³³ Geniella, April 15, 1990, op. cit.

Greg King went as far as to accuse Lucas of “environmental imperialism”.¹³⁴

Darryl Cherney concurred, further suggesting that civil disobedience had created the climate making *Forests Forever* possible in the first place.

Ukiah Earth First!er Sequoia—who was passionately outspoken even by Earth First! standards—bluntly opined that Don Nelson and Gail Lucas must have been sleeping together, elaborating “It’s clear to me. Their press releases are almost identical in spirit,” in response to which Bruce Anderson, a staunch Redwood Summer supporter, quibbled, “I dunno Sequoia. They’re already sleeping with Georgia-Pacific, Louisiana-Pacific, Bosco, Keene, and Hauser...When do they find time to sleep with each other?”¹³⁵

Taking a somewhat more diplomatic approach, Ron Guenther and Betty Ball who were both Earth First!ers *and* Sierra Club rank and file members publically rebuked Lucas’s dismissal of populist resistance to corporate timber in an open letter:

“This is of great concern to us. The California State Forest Practices Task Force Chair is a position within the Sierra Club’s bureaucratic superstructure increasingly isolated from the Club’s grass roots effort, which gives it direction. The Task Force Chair does not speak for the grass roots Sierra Club, The increasing isolation of the Task Force Chair from the Club’s grass roots effort is seriously threatening the accomplishment of the Sierra Club’s basic forestry mission, which is protecting and enhancing, and acting as an advocate for the California forest environment. As leaders in the most directly affected North West California Sierra Club grass roots Groups and Chapter, we deplore the attack on Earth First! in the name of the Sierra Club.”¹³⁶

Lucas didn’t speak for anyone other than herself and skittish middle class “environmentalists” who had a good deal more in common with Harry Merlo and Charles Hurwitz than the timber workers or Earth First!. The *Santa Rosa Press Democrat*, however, spun Lucas’s statement as “proof” that Redwood Summer was “losing support”.¹³⁷ Two weeks later, when the Redwood Coast Watersheds Alliance disassociated itself from Redwood Summer, the corporate press was quick to report that as major news also.¹³⁸ The media seemed wholly uninterested in the contrasting sentiments of G-P millworker Ken Cleaverwood, however, who stated:

¹³⁴ Geniella, April 17, 1990, op. cit.

¹³⁵ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, April 25, 1990.

¹³⁶ “Wishing Earth First! Success”, by Ron Guenther and Betty Ball, *Mendocino Beacon*, April 26, 1990.

¹³⁷ Geniella, April 15, 1990, op. cit.

¹³⁸ “‘Mississippi Summer’ Losing Some Support” (in some editions, “Redwood Radicals Losing Support”), by Mike Geniella, *Santa Rosa Press Democrat*, April 26, 1990, and “Summer’ Support Being lost”, *Ukiah Daily Journal*, April 26, 1990.

“So the local Sierra Club shit-kickers are going to join hands with Earth First! I guess that’s hopeful. Guenther, Bari, Ball, & Co. are at least honest, which is more than I can say for that corrupt, sumbitch of a union so-called business agent we’ve got here who sells us out to the Co. every chance he gets. The industry runs Nelson, who’s been in bed with the Sierra Club timber rep ever since I can remember. Anything that breaks up this cozy nut can’t help but be good for the worker. Any logger who even thinks about coming down hard on an Earth First!er this summer is one silly sumbitch. Hey, you dumb galoots, who do you think’s looking out for you, the union?”¹³⁹

* * * * *

Earth First! on the North Coast had eliminated every halfway legitimate obstacle to their potential to turn timber workers against the corporations, save one: tree spiking. Although Judi Bari had personally renounced it at the Public Law conference in Oregon, it was not an official statement, and she knew that, in spite of the near unanimous support her announcement received it still represented, at best, a vocal minority within the Earth First! movement. Bari had other supporters outside of Earth First! however, especially the growing number of timber workers who she now could confidently count upon as allies, including Gene Lawhorn, Pete Kayes, Walter Smith, the G-P millworkers affected by the PCB spill, and the many unnamed anonymous L-P employees with whom she had numerous contacts. Without exception, all of them agreed that Earth First! would never achieve much more credibility until they renounced any tactic that potentially placed timber workers at direct risk to their health and safety.¹⁴⁰

After considerable discussion and urging by Judi Bari and others who attended the conference, spokespeople for every northwestern California Earth First! Group as well as IWW Local #1 decided to call a press conference and publically renounce tree spiking. On April 11, 1990, at the Louisiana Pacific Mill in Samoa, Judi Bari (representing Ukiah Earth First!), Darryl Cherney, (representing Southern Humboldt County Earth First!), Mike Roselle (speaking as one of Earth First!’s cofounders), Rick and Kathi Cloninger (representing Laytonville Earth First!), Larry Evans (representing miscellaneous North Coast Earth First!ers), Greg King (representing the Redwood Action Team), Pam Davis (representing Sonoma County Earth First!), Annie Oakleaf, (representing Albion Earth First!), and Anna Marie Stenberg (representing IWW Local #1 officially—though more than half of the others were IWW members as well) issued the following statement:

“In response to the concerns of loggers and mill-workers, Northern California Earth First! organizers are renouncing the tactic of tree spiking in our

¹³⁹ “Workers of the World: Wake Up!”, letter to the editor, by Ken Cleaverwood, *Anderson Valley Advertiser*, May 2, 1990.

¹⁴⁰ “In the Middle of Run Away History: Judi Bari, Earth First! Organizer, Mississippi Summer in the California Redwoods”, interview by Beth Bosk, *New Settler Interview*, issue #49, May 1990.

area. Through the coalitions we have been building with lumber workers, we have learned that the timber corporations care no more for the lives of their employees than they do for the life of the forest. Their routine maiming and killing of mill workers is coldly calculated into the cost of doing business, just as the destruction of whole ecosystems is considered a reasonable by-product of lumber production.

“These companies would think nothing of sending a spiked tree through a mill, and relish the anti-Earth First! publicity that an injury would cause.

“Since Earth First! is not a membership organization, it is impossible to speak for all Earth First!ers. But this decision has been widely discussed among Earth First!ers in our area, and the local sentiment is overwhelmingly in favor of renouncing tree-spiking. We hope that our influence as organizers will cause any potential tree-spikers to consider using a different method. We must also point out that we are not speaking for all Earth First! groups in this pronouncement. Earth First! is decentralized, and each group can set its own policies. A similar statement to this one renouncing tree spiking is now being made in Southern Oregon, but not all groups have reached the broad consensus we have on this issue.

“But in our area, the loggers and mill workers are our neighbors, and they should be our allies, not our adversaries. Their livelihood is being destroyed along with the forest. The real conflict is not between us and the timber workers, it is between the timber corporation and our entire community.

“We want to give credit for this change in local policy to the rank and file timber workers who have risked their jobs and social relations by coming forward and talking to us. This includes Gene Lawhorn of Roseburg Lumber in Oregon, who defied threats to appear publicly with Earth First! organizer Judi Bari. It also includes the Georgia Pacific, Louisiana Pacific, and Pacific Lumber employees who are members of IWW Local #1 in northern California.

“Equipment sabotage is a time-honored tradition among industrial workers. It was not invented by Earth First!, and it is certainly not limited to Earth First! even in our area. But the target of monkey wrenching was always intended to be the machinery of destruction, not the workers who operate that machinery for \$7/hour. This renunciation of tree spiking is not a retreat, but rather an advance that will allow us to stop fighting the victims and concentrate on the corporations themselves.”¹⁴¹

¹⁴¹ This statement was printed in the *Mendocino Commentary*, April 12, 1990; the *Mendocino County Observer*, April 12, 1990; the *Earth First! Journal*, Beltane / May 1, 1990; and the *Country Activist*, June 1990. It was announced beforehand in “Timber Activists ax Tree-Spiking: Nonviolent Protests Set for Summer”, by Mike Geniella, *Santa Rosa Press Democrat*, April 9, 1990. Emphasis added.

Granting that Earth First! on the North Coast never actually engaged in tree spiking, Darryl Cherney commented, “I admit it’s a bit unusual to renounce a tactic that you haven’t used to begin with, but we’re tired of being asked to answer for something that we don’t do.”¹⁴²

The renunciation received fairly decent coverage in the local mainstream press, including the *Santa Rosa Press Democrat*, whose coverage of Earth First! and Redwood Summer was most favorable among the northwestern California corporate dailies.¹⁴³ Many timber workers and Mendocino County locals cheered the decision and expressed their support for Earth First!.¹⁴⁴ However, the *Eureka Times-Standard*, whose editorial policy was staunchly anti Earth First!, botched the story completely by publishing a headline which suggested the *opposite* of what actually happened, and this caused further tensions in Humboldt County.¹⁴⁵ The *San Francisco Chronicle* was even worse, editorializing favorably of the renunciation, albeit under the extremely inaccurate and uncalled for headline “Eco-Terrorists Abandon Spikes”, which was to suggest that even if Earth First! renounced *all* actions save knitting, they’d *still* be denounced as terrorists.¹⁴⁶ The national Corporate Media was equally atrocious in its coverage, and the worst example was the *New York Times* which called Bari an *advocate* of tree-spiking, in spite of Bari never having been one, even before her public renunciation in Eugene. To make matters worse, in no case did any of the press stories, even the sympathetic examples, mention Bari’s labor activism.¹⁴⁷

Those that renounced tree spiking anticipated the possibility that the announcement would not be universally welcomed by Earth First!ers outside of northwestern California and southern Oregon. Darryl Cherney, who was still the most prominent local Earth First! spokesperson at the time wrote a separate statement intended to clarify the positions of those that had agreed to the renunciation stating, among other things:

“The decision was not irreversible, should the forest situation worsen, although it is hard to fathom how much worse it can get. The decision is not made for all Earth First!ers, and as a non-organization, we are entitled to our individual opinions. We take no responsibility for any prior spikings;

¹⁴² “Earth First! Vows to Continue Sabotage”, by David Forster, *Eureka Times-Standard*, April 12, 1990.

¹⁴³ “Timber Activists ax Tree-Spiking: Nonviolent Protests Set for Summer”, by Mike Geniella, *Santa Rosa Press Democrat*, April 9, 1990; “Environmental Group Says it Won’t Spike Trees”, by Elliot Diringer, *San Francisco Chronicle*, Wednesday, April 11, 1990; “Earth First! Renounces Tree Spiking”, *McClatchy News Services*, republished in the *San Francisco Examiner*, April 13, 1990; “Activists Denounce Spiking”, by Keith Michaud, *Ukiah Daily Journal*, April 11, 1990; and “Activists Call for Nonviolent Protest”, staff report, *Willits News*, April 11, 1990.

¹⁴⁴ Additional Release by Darryl Cherney, *Mendocino Commentary*, April 12, 1990.

¹⁴⁵ “Earth First! Vows to Continue Sabotage”, by David Forster, *Eureka Times-Standard*, April 12, 1990.

¹⁴⁶ “Eco-Terrorists Abandon Spikes”, editorial, *San Francisco Chronicle*, April 16, 1990.

¹⁴⁷ “Earth First! and COINTELPRO”, by Leslie Hemstreet, *Z Magazine*, July / August 1990.

our intent is to actively advocate not spiking trees at this point. This is not a retreat, nor is it an abandonment of monkeywrenching. It is an advance toward joining Northern California woodworkers in the fight to save the planet. Of course it will also take the wind out of the timber industry's publicity sails."¹⁴⁸

The Corporate Media's incompetence (or perhaps subterfuge) in handling the story confused matters for Earth First!. As predicted, many were confused by the incomplete versions of the renunciation they heard or read about, and some were outright hostile. Due to his prominence as a spokesperson for Earth First! in general, Judi Bari had contacted Dave Foreman personally and informed him of her decision. Foreman responded with an emphatic letter opposing Bari's choice, though he still referred to her as a hero who would be remembered 100 years later.¹⁴⁹ The editors of the *Earth First! Journal* saw fit to preface their republication of the renunciation statement with a paragraph long disclaimer which began, "In a move that has left some EF!ers confused or dismayed, several West Coast Earth First! groups have renounced tree spiking," and even listed a Colorado Earth First!er, Michael Robinson, so that those who wished to hear "a compelling letter in opposition to the...renunciation."¹⁵⁰ This was typical of Earth First!'s openness, but whether intended or not, Earth First!'s lack of unity on this particular decision gave its critics plenty of ammunition to use against it.

At the same time, Earth First!'s Tree Spiking renunciation made the timber industry kulaks even angrier and louder in their denunciation of the environmentalists than ever before, no doubt because Earth First! *had* stolen their thunder. Speaking for L-P and WECARE, Shep Tucker called it a non-event and declared "(Earth First!) is dealing with semantics...they're renouncing and not denouncing tree-spiking...They're still terrorists no matter what they say."¹⁵¹

TEAM spokesman Gary Gundlach, in a guest editorial in the *Humboldt Beacon and Fortuna Advance* sunk to red baiting, arguing that the tree spiking renunciation was empty and meaningless because Earth First! had "made alliances with the International (sic) Workers of the World who has well known ties with communism."¹⁵²

Candy Boak spewed forth with her usual venom, regurgitating practically every "unwashed-out-of-town-jobless-hippies-on-drugs" talking pint in the book and further opining, "(Earth First! renouncing tree spiking is) like letting everyone in jail out if they said they would never commit another crime."¹⁵³

¹⁴⁸ Additional Release by Darryl Cherney, *Mendocino Commentary*, April 12, 1990.

¹⁴⁹ "Review: Dave Foreman's Confessions of an Ecowarrior", by Judi Bari, *Anderson Valley Advertiser*, April 4, 1991.

¹⁵⁰ "Tree Spiking Renounced Behind Redwood Curtain", staff report, *Earth First! Journal*, Beltane / May 1, 1990.

¹⁵¹ "Activists Denounce Spiking", by Keith Michaud, *Ukiah Daily Journal*, April 11, 1990.

¹⁵² "EarthFirst! (sic) Followers Say Nothing", guest editorial by Gary Gundlach, *Humboldt Beacon and Fortuna Advance*, April 19, 1990.

¹⁵³ "Earth First!", letter to the editor by Candace Boak, *San Francisco Chronicle*, April 16, 1990.

Irv Fletcher, President of the Oregon AFL-CIO Labor Federation argued that Earth First! had to do much more than renounce tree spiking, “They’ve got to renounce damage to workers’ equipment and what they’re doing to workers’ lives.”¹⁵⁴

Mark Rey, executive director of the American Forest Resource Alliance in Oregon called the renunciation “suspiciously timed” since it came just three weeks after the infamous *60 Minutes* broadcast.¹⁵⁵

Jim McCauley, speaking on behalf of the Associated Oregon Loggers—another Corporate Timber front group—set new standards in hyperbole, comparing the renunciation to “the terrorists in Beirut, Lebanon (announcing that) they’re going to stop car bombings, but they’re still going to take hostages,”¹⁵⁶

William W. Alexander, in a letter to the *Ukiah Daily Journal* called the statement “a joke” and also repeated the all too common charge that Earth First! was “a terrorist organization” (even though no Earth First!er had ever been convicted—or even tried—for the crime of terrorism).¹⁵⁷ Michael D Frazier compared the renunciation to the “propaganda broadcasts by Radio Hanoi.”¹⁵⁸ B. J. Bell was even more dismissive and sneering towards Earth First! and environmentalists in particular, denouncing all of them as “hypocrites” since they “live in houses and drive cars” (as if environmentalists want to abolish either).¹⁵⁹

John Campbell dispensed with the renunciation in his usual dramatic fashion. At the invitation of the Eureka Rotary Club, the P-L exec did his best to declare the North Coast Earth First! and IWW spokespeople as blatant liars. For a visual aide as “proof” of his sincerity, he held up a foot-long section of a redwood log with an eight-inch railroad spike driven into it. A handful of the assembled Rotarians gasped.¹⁶⁰ Campbell then explained that this particular spike, along with two others of identical design, had been discovered in Mill B in Scotia two weeks earlier.¹⁶¹ He then invoked hypothetical scenarios closely matching the real experiences of George Alexander in Cloverdale three years earlier. Although he didn’t come out and actually name Earth First!, the implications, as far as the assembled crowd was concerned, were clear, and

¹⁵⁴ “Timber Spiking to Stop: Announcement Called ‘Non-Event’”, *AP Wire* and staff report, *Ukiah Daily Journal*, April 12, 1990.

¹⁵⁵ Forster, April 12, 1990, op. cit.

¹⁵⁶ “Timber Spiking to Stop: Announcement Called ‘Non-Event’”, *AP Wire* and staff report, *Ukiah Daily Journal*, April 12, 1990.

¹⁵⁷ “Earth First! Exposed”, letter to the editor by William W Alexander, *Ukiah Daily Journal*, April 13, 1990.

¹⁵⁸ “Insincere Propaganda”, letter to the editor by Michael D. Frazier, *Ukiah Daily Journal*, April 16, 1990.

¹⁵⁹ “A Few Definitions”, letter to the editor by B. J. Bell, *Ukiah Daily Journal*, April 18, 1990.

¹⁶⁰ Harris, op. cit., pages 305-07. Ecodefense says *nothing* about the use of railroad spikes.

¹⁶¹ “PL Millworkers Discover 3 Spikes”, by Lisa Shaw, *Eureka Times-Standard*, April 24, 1990; “Spikes Found in Old Redwood at Scotia Mill”, by Mike Geniella, *Santa Rosa Press Democrat*, April 25, 1990; “Spikes Found in Scotia Redwood Log”, *Willits News*, April 27, 1990; and “PL Claims Trees Spiked”, *EcoNews*, May 1988.

for good measure, he reminded everyone of Darryl Cherney's "body-bomb" quote from *60 Minutes*.¹⁶²

There was, of course, no way to prove that Campbell wasn't lying. There was no easy way to determine when the spikes had been driven into the logs, even if he wasn't. Even if there were, there was no way to prove that it had been done by an Earth First!er, let alone one or more of the supporters of the renunciation. Jeff Ringwald, the company's safety coordinator admitted that it was uncertain where the tree had been cut or how long it had been stored at the mill. He guessed that the spikes "didn't appear to have been in the tree for a long period of time," but by that he meant that the spikes were no more than a few years old, and he further declared, "We're not accusing anyone," which seemed to contradict Campbell's speech to the Rotarians.¹⁶³

Evidently there were others that feared the wind being removed from their sails by the tree spiking renunciation as well. Shortly after the April 11 press conference, some person or persons unknown, referring to themselves as "Arcata Earth First!" published leaflets stating that they disagreed with "non-feral Darryl" and tree spiking renunciation. The fliers described the situation as "an all-out war with the North Coast timber companies." "Come one, come all", said the leaflets, "We intend to spike trees, monkeywrench, and even resort to violence if necessary."¹⁶⁴ Another leaflet entitled "Some Thoughts on Strategy" was anything but, as it rambled on incoherently about sabotage, randomness, and invisibility.¹⁶⁵ The Corporate Press treated the leaflets as genuine, spinning the situation as "infighting within the Redwood Summer Coalition".¹⁶⁶ Not surprisingly the apologists for corporate timber did so as well, such as D.R. Sendak, who not only dismissed the tree spiking renunciation as "kinder gentler terrorism":

"(T)hey now say they will emphasize the destruction, of woods equipment belonging to the local timber companies...While this may or may not come as a surprise to you, Ms. Bari, the majority of the logging done on the North Coast is by contract loggers and not directly by the large corporations you seem to despise. The monkey wrenching you encourage does not directly hurt the timber companies, but rather the small loggers who have families,

¹⁶² Harris, op. cit., pages 305-07. Ecodefense says *nothing* about the use of railroad spikes.

¹⁶³ "Spikes Damage Sawmill Blades", by Mike Geniella, *Santa Rosa Press Democrat*, April 25, 1990. By contrast, Campbell had made no such wild proclamations the previous year, in March of 1989. Then, an unknown perpetrator set off smoke bombs in the P-L sales office in Mill Valley, and an anonymous caller describing themselves as "Smokers for Wilderness" took credit for the incident, but the person or persons responsible were never positively identified, and the incident was more or less forgotten, as detailed in "PL: Follow The Bouncing THPs", by Andy Alm, *EcoNews*, April 1989.

¹⁶⁴ "Fight Over 'Mississippi' Support: Splinter Group at 'War' Against Companies", by Mike Geniella, *Santa Rosa Press Democrat*, April 17, 1990.

¹⁶⁵ "Earth First! Activists Call Fliers Phony", by David Forster, *Eureka Times-Standard*, April 20, 1990.

¹⁶⁶ "Infighting Threatens Environmental Wins", editorial, *Santa Rosa Press Democrat*, April 20, 1990.

monthly mortgage payments, and the desire to make a living in an honest and hardworking manner...”¹⁶⁷

Judi Bari, however had nothing to do with these leaflets, and neither did any other genuine Earth First!er. There was then no such thing as Arcata Earth First! nor had their ever really been an Earth First! chapter based there. The only thing closely resembling such was HSU professor Bill Devall who had, long before the days of the Redwood Action Team and Southern Humboldt Earth First!, listed his contact information in the *Earth First! Journal*.¹⁶⁸ These leaflets were obviously bogus; they spelled Darryl Cherney’s name incorrectly as “Daryl” and incorrectly identified Judi Bari’s home town.¹⁶⁹

There was little doubt among the members of Earth First! – IWW Local #1 who had been responsible. Bruce Anderson had even gone as far as to publically identify Candy Boak as the culprit, and indeed this was a logical deduction.¹⁷⁰ She had by now engaged in almost two years of attempting to “monkeywrench the moneywrenchers”, even to the point of publishing false press releases during the previous year’s “Earth First! National Tree Sit Week” (Boak’s forgeries proclaimed “National Tree *Shit* Week.”) However, in this case, Boak was not alone in her efforts. Fellow WECARE and Mothers’ Watch spokeswoman Paula Langanger revealed (later that year to the FBI), that there was a core group of wise use activists who “liked to play little jokes on Earth First!”, including publishing fake press releases. She even named local Corporate Timber apologist Dave Curzon as the author of these particular forgeries.¹⁷¹

Yet, the three timber corporations not only treated them as genuine, they actually facilitated their dissemination. Louisiana Pacific went as far as to distribute the fake press releases to their workers at the Samoa pulp mill in a mandatory meeting. There, plant manager Fred Martin encouraged the employees to intimidate environmentalists by attending their meetings “with rolled up sleeves, wearing work boots and hard hats,” according to a union grievance filed against the company for the meeting by Pulp and Paper Workers Local 49.¹⁷² In fact, these leaflets had been distributed to their sawmills all over the U.S. Shep Tucker, however, lied to the press declaring that the company suspected, “a third party, perhaps a splinter group”, knowing full well who had distributed them.¹⁷³

¹⁶⁷ Letter to the editor, by D. R. Sendek, *Willits News*, April 15, 1990; *Santa Rosa Press Democrat*, April 23, 1990; *Humboldt Beacon and Fortuna Advance*, April 26, 1990; and *Ukiah Daily Journal*, April 27, 1990.

¹⁶⁸ “Earth First! Activists Call Fliers Phony”, by David Forster, *Eureka Times-Standard*, April 20, 1990.

¹⁶⁹ Bari, February 2, 1994, op. cit.

¹⁷⁰ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, April 25, 1990.

¹⁷¹ Bari, February 2, 1994, op. cit.

¹⁷² Bari, February 2, 1994, op. cit.

¹⁷³ “Threats to Activist Probed”, by Mike Geniella, *Santa Rosa Press Democrat*, April 21, 1990.

It turns out, the bogus leaflets and press releases had been circulated by Hill & Knowlton as part of their efforts to discredit *Forests Forever* and anything remotely associated with it.¹⁷⁴ Their fraudulent nature was detectable even by those not intimately familiar with these details, including *San Francisco Examiner* columnist Rob Morse who declared, “Things are getting pretty weird up there...Not only are the trees being clearcut, some dirty trickster is turning them into fake press releases,” and revealed that Hill & Knowlton had sent them as part of a packet at the behest of Pacific Lumber.¹⁷⁵ This was not just an isolated incident, however. In Olympia, Washington, a major coalition involving Earth First! and the Pulp and Paper Millworkers Union against raw log exports had been undermined when bogus “minutes,” of an environmentalist meeting that never actually took place, which mentioned “sabotage” were circulated.¹⁷⁶ If anyone was engaging in monkeywrenching, it was not Earth First!, but Corporate Timber.

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The environmentalists did not let up for a second in exposing the claim that they were anti-jobs as a lie. In response to Louisiana-Pacific’s resumption of aerial Garlon spraying over 1,000 acres in the woods near the Humboldt County communities of Trinidad, Westhaven, and Fieldbrook, a group of protesters locked down to an L-P security gate on Channel Road northeast of Eureka on April 11. Several of them were arrested. The next day, several dozen activists, including Earth First!er Larry Evans, organized yet another protest in Samoa against the corporation demanding an end to the practice. The demonstrators struck a decidedly pro-worker tone by chanting slogans like, “Employ people, not poison!” These calls echoed IWA Local 4-98 representative Tim Skaggs’s call for “manual release” five years previously, but L-P was not budging. Shep Tucker *again* dismissed the labor intensive practice as being “too costly” (on the order of three to five times as expensive as chemical intensive brush removal). Then, he resorted to scare tactics, claiming that the company had received anonymous bomb threats in connection with the protests, but offered no substantive proof of these.¹⁷⁷

The next day, the *Eureka Times-Standard* reported that Pacific Lumber’s sales and operating gains in 1989 had been stronger than ever. The company’s end-of-year financial report to the Securities and Exchange Commission revealed that P-L reported operating income in excess of \$59.8 million for the year ending December 31, in comparison to the previous two year’s totals (both of which had been records) of \$53.7 million in 1988 and \$50.9 million in 1987. Their lumber and log sales were likewise unprecedentedly bountiful, exceeding \$171 million in 1989 as opposed to the previous years’

¹⁷⁴ “The Judi Bari Bombing Revisited: Big Timber, Public Relations, and the FBI”, by Nicholas Wilson, *Albion Monitor*, May 28, 1999.

¹⁷⁵ Column by Rob Morse, *San Francisco Examiner*, April 25, 1990.

¹⁷⁶ “Old Growth vs. Old Mindsets”, by Mitch Freedman, *Earth First! Journal*, Beltane / May 1, 1989.

¹⁷⁷ “Dozens Rally at L-P Pulp Mill to Protest Herbicide Spraying,” by David Forester, *Eureka Times-Standard*, April 13, 1990.

record totals of \$160.8 million in 1988 and \$150.8 million in 1987. These figures were dampened somewhat by reports of a \$7.6 million net loss, including \$24.2 million in debt payments. The report also stated, very candidly, that P-L's management believed that the pending challenges to the company's timber harvesting plans were "unlikely to have a material adverse effect on the company's financial condition." Whether P-L's statement was an accurate assessment of the company's predictions or merely a feel-good pronouncement intended to smooth-talk Maxxam's shareholders didn't alter the fact that it was substantially inconsistent from its claims that "unwashed-out-of-town-jobless-hippies-on-drugs" were going to destroy the North Coast's economy.¹⁷⁸

Revelation such as these only increased support for Redwood Summer. On Saturday, April 21, 1990, students at Lower Lake High School in Ukiah took a page out of Earth First!'s playbook and hung a banner across Perkins Street, one of the main thoroughfares in the heart of town, which read "L-P = LOGGER POVERTY", a slogan which was later made into a bumper sticker, which was sold fairly widely throughout the county. That same day, over 100 demonstrators in Los Angeles, organized by Earth First! and the IWW, held a protest at Maxxam's regional office there.¹⁷⁹ Meanwhile, the 400 member strong AWPPW union local based in Toledo, Ohio, who had been on strike against Georgia Pacific since March 2—in coordination with other unions, including the Teamsters—announced that they would be calling for a nationwide boycott of all of the company's products, including redwood lumber, starting on the Pacific Coast.¹⁸⁰ The potential for an environmentalist and worker alliance grew larger by the day in spite of Corporate Timber's subterfuge.

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Yet, it seemed that the more Earth First! proclaimed its commitment to nonviolence and building bridges with the timber workers, the more violent and dogmatic the rhetoric became from Corporate Timber and its front groups, to the point where it wasn't entirely clear if the latter would stop at mere rhetoric. As if the Yellow Ribbon Coalition, WECARE, TEAM, and Mothers Watch weren't rabidly right wing enough, a new faction joined the fray from the Mojave Desert region of southeastern California: the *Sahara Club*, founded by two southern California dirt bikers, Louis "Phantom Duck" McKey and Rick "Super Hunky" Siemen.¹⁸¹

McKey and Siemen had been angered when their annual Barstow to Las Vegas dirt bike race had been prohibited, because such activity devastated fragile desert ecosystems. The two bitterly opposed the new restrictions, and their newly founded group ostensibly organized to keep public lands open to all terrain vehicles (ATVs), certainly

¹⁷⁸ "P-L Sales, Income Gains in 1989 Strongest in Years, Report Says", by Charles Winkler, *Eureka Times-Standard*, April 13, 1990.

¹⁷⁹ "Los Angeles EF! Enjoys a Redwood Summer", by Peter Bralver, *Earth First! Journal*, Samhaim / September 22, 1990.

¹⁸⁰ "Georgia-Pacific Strikers Call for National Boycott", UPI Wire, *Eureka Times-Standard*, April 22, 1990.

¹⁸¹ "Sahara Club Attacks EF!", *Earth First! Journal*, Litha / June 21, 1990.

an issue that pitted them against just about all environmental organizations, but they also had more sinister aims in mind.¹⁸² To say that the pair disdained environmentalists was the height of understatement. McKey and Siemen had chosen the organization's name to deliberately thumb their nose at the *Sierra Club*, whom both founders despised. Their opinion of Greenpeace was no less charitable, once referring to them as "a bunch of lying, evil, cretinous, scum-sucking, larcenous, vile, money-grubbing bastards."¹⁸³ Sieman was not exactly just some random nobody either; he was the senior editor of *Dirt Bike Magazine*.¹⁸⁴

The Sahara Club was anything but ethical or polite. Indeed, they were unapologetically violent.¹⁸⁵ The Sahara Club *was* composed mainly of ATV enthusiasts, but it also had actual terroristic tendencies, and they included distributing a completely fake "Earth First! Terrorism Manual" which supposedly described how to make bombs. They claimed that they had acquired the manual from Earth First! somehow, and were offering it to their readers at a price of \$5.¹⁸⁶ Of course, there was no such manual; the closest thing to it was Ecodefense, and that unequivocally warned *against* use of *any* explosives.¹⁸⁷ Additionally, the April 1990 edition of the *Sahara Club Newsletter* republished a list of the entire Earth First! directory from the Mabon / March 21, 1990 edition of the *Earth First! Journal*, with an introduction which read, "Here is the latest up to the minute data on where the scum are and how to reach them. In many cases, they just have a PO Box listed, but with a little detective work, we're sure you can track them down and perhaps 'reason' with them about the error of their ways."¹⁸⁸ It was not at all difficult to infer exactly what the Sahara Club meant by that statement, because that same issue also contained the following quotation:

"The Sahara Club needs about a dozen volunteers to form a special division—the Sahara Clubbers! All volunteers should weigh about 200 pounds and have a bad attitude. Big, tall, ugly desert riders preferred...Naturally the 'Clubbers' will be expected to honor all laws, but if some Earth First! scum resist a citizen's arrest in the process, it might be necessary to subdue them prior to turning them over to the authorities."¹⁸⁹

It would be easy to dismiss this as simply the acts of loose cannons on the far right, but the Sahara Club was anything but. They worked closely with Candy Boak and agreed to jointly host a workshop on how to further in-

¹⁸² Ibid.

¹⁸³ Deal, 1993, op. cit., pages 87-88.

¹⁸⁴ "Here and There in Mendocino County", by Bruce Anderson, *Anderson Valley Advertiser*, September 26, 1990.

¹⁸⁵ Deal, 1993, op. cit., pages 87-88.

¹⁸⁶ Bari, February 2, 1994, op. cit.

¹⁸⁷ "Community Under Siege", by Judi Bari, *Anderson Valley Advertiser*, May 8, 1991.

¹⁸⁸ "Sahara Club Attacks EF!", *Earth First! Journal*, Litha / June 21, 1990.

¹⁸⁹ "The Palco Papers", by Judi Bari, *Anderson Valley Advertiser*, March 27, 1991.

timidate and harass Earth First!.¹⁹⁰ Boak's Mothers' Watch group shared members with WECARE which counted Shep Tucker among its spokespeople. The connections to Corporate Timber may have been tenuous on paper, but in reality it was no difficult task to identify the men behind the Redwood Curtain.

These coalitions weren't just deadly serious, they were also seriously deadly. Candy Boak continued to telephone Judi Bari and issue veiled threats, but these were never specific. During the third week in April, however, a leaflet consisting of a Xeroxed photograph of Judi Bari, taken from the April 4 Mendocino County Board of Supervisors' meeting with a riflescope and crosshairs centered on her face, was found taped to the glass door of the MEC. Stapled to the flyer was a yellow ribbon. These flyers eerily matched similar threats issued during the 1960s against leftist activists and organizers by the right wing paramilitary organization known as "the Minute Men", which had links to COINTELPRO.¹⁹¹

This was one of several that were received by Bari, Cherney, and Greg King all within a scope of a few weeks. Bari also received a postcard, postmarked April 10, typed on a manual typewriter and sent to the MEC reading simply, "Judi Bari: get out and go (sic) bac k (sic) to where you came from...we know every thing (sic)...YOU WON'T GET A SECOND WARNING."¹⁹²

Judi Bari, Betty Ball, Pam Davis, and Michelle Miller¹⁹³ also received a vile, homophobic, and hateful letter which read as follows:

EARTH FIRST LESBIAN:

Dear Judi,

It has come to our attention that you are an Earth First! lesbian whose favorite pastime is to eat box lunches in pajamas.

Judi, this kind of behavior is to be expected of lesbians like you, since we have been observing Earth First! freaks like you for some time. Not only have we been watching you Judi, but we also know and have distributed your phone number to every organized hate group that could possibly have hostile tendencies toward ilk of your kind. No longer can sleazy dikes like you operate with impunity through the guise of anonymity. We know who you are, where you live, and continue to home [sic] in on you...but you don't know who we are. How does it feel, eco-freak, to have the tables turned?

We've also got your "clandestine" publications which detail how to indiscriminately hurt, maim, and kill people who are involved in legitimate, legal activities. Rest assured, Judi, that we shall not be indiscriminate in our actions against the spineless,

¹⁹⁰ Bari, February 2, 1994, op. cit.

¹⁹¹ "Here and There in Mendocino County", by Bruce Anderson, *Anderson Valley Advertiser*, April 25, 1990.

¹⁹² Bari, February 2, 1994, op. cit.

¹⁹³ "Earth First! and COINTELPRO", by Leslie Hemstreet, *Z Magazine*, July / August 1990.

invertebrate members of Earth First! To the contrary, we will specifically hunt down each and every member like the lesbians you really are.

—Sincerely,

Committee For The Death of Earth First!, Brought to you by Fed Up Americans for Common Sense.¹⁹⁴

Darryl Cherney, Bill Devall, Larry Evans, Greg King, and Daniel Barron received similarly themed letters, denouncing them as “Earth First! fellatio experts who suck dicks in outhouses”, with the second and third paragraphs nearly identical to the letters sent to the women (except with the word “homo” in place of “lesbian”). An additional paragraph read, “Another thing that is bothersome, is that if you were truly interested in conservation one would think you would curtail butt slamming your buddy...and spreading AIDS, thereby conserving the lives of the rest of the normal population. Think about it dick breath.”¹⁹⁵ These particular threats bore postmarks from San Diego, making the Sahara Club a likely suspect of their source, but it would be almost impossible to prove it.¹⁹⁶ The Sahara Club was violent and rabidly homophobic, but there were no shortage of other possible sources as well.

All of the death threats bore an eerie resemblance to those issued against other leftist organizations in the past, many of which were later connected to COINTELPRO. For example, on April 25, 1990, the same group of Earth First!ers received a letter purportedly from a bunch of high school students calling themselves the “Tasmanian Teens” that included a page and a half of personal attacks and concluded with a wish that a logger would “just run you over if you get in their way,” and warned them threateningly that “accidents happen.”¹⁹⁷ That wasn’t all. Another anonymous leaflet, featuring a hand drawn hangman’s noose simply titled “Humboldt & Mendocino Countie’s (sic) Welcomes Dirt First to A Mississippi Summer.” Considering that the hangman’s noose was often used by the Ku Klux Klan and other southern based white supremacists to lynch blacks, the implications of the threat were all too chilling.¹⁹⁸

For the most part, the source of these threats couldn’t be identified, but there were exceptions. At least one group of local thugs known as the “Stompers” (who had in part been inspired by the joint workshop organized by Candace Boak and the Sahara Club and would spend much of the summer terrorizing the Redwood Summer coalition) also sent threatening letters to various Earth First! and/or IWW organizers, such as the following:

We are Humboldt County employees of the Forest Products Industry. We hereby give fair warning to the following:

¹⁹⁴ Author unknown; reprinted in the *Anderson Valley Advertiser*, May 30, 1990 for reference.

¹⁹⁵ Hemstreet, op. cit.

¹⁹⁶ “Bomb Injured Activists Arrested”, by Boni Brewer, *Contra Costa Times*, May 26, 1990.

¹⁹⁷ Hemstreet, op. cit.

¹⁹⁸ “Terrorist Strikes Earth First!”, by Alexander Cockburn, *Anderson Valley Advertiser*, May 30, 1990. The image is featured in this publication as well.

Darryl Cherney

Greg King

Judi Bari

Regarding “Mississippi Summer” in the Redwoods.

You three are the organizers and will be held personally accountable for injury to any of our fellow workers due to any act by members of Earth First! and including all important scum.

If law enforcement fails, our justice will be swift and very real. We know who you are and where you live. If you want to be a Martyr (sic), we will be happy to oblige. Our tolerance of your harassment has *ended*.¹⁹⁹

Greg King took the death threats in stride. Even before the FBI dragnet had entrapped Dave Foreman, Peg Millett, and the others the previous year, he was convinced that he and his comrades were under surveillance. It was the disinformation and the media’s willingness to swallow it that bothered him most.²⁰⁰

Meanwhile, before the tree spiking renunciation, Darryl Cherney had never received a death threat. By the end of April he had received *thirty-six*, and they just kept coming. Cherney forwarded copies of each to the Humboldt County Sheriff’s Department. After sending in a copy of the “Stompers” letter, Cherney called to ask them, in their opinion, if he and his comrades were in any danger. The sergeant who answered agreed that they were and even went as far as to respond that the activists would be lucky if all they received were a sound beating. Cherney then asked what the Humboldt County Sheriffs intended to do about it, to which the latter responded, “we’ll fill out a report.” Stunned, Cherney inquired, “That’s all?” The sergeant answered in the affirmative.²⁰¹ Evidently, Cherney reasoned, the Humboldt County sheriffs didn’t like Earth First! anymore than the timber industry did.²⁰² Cherney then contacted the Eureka office of the FBI who told him that they didn’t have jurisdiction.²⁰³

Bari had received death threats before in conjunction with her past labor activities, but even these hadn’t been *this* serious.²⁰⁴ Bari had contacted Dave Foreman and Foreman recalls that his fellow activist had been “very frightened” about them.²⁰⁵ In a separate phone conversation with IWW organizer Gary Cox, Bari recalled Cox’s warning about retaliation and asked him if she should take the death threats seriously. Cox responded by telling her that he didn’t think that the makers of the death threats

¹⁹⁹ “Macho Men Defend Basic Rights”, author unknown, reprinted in the *Anderson Valley Advertiser*, May 30, 1990 for reference; emphasis in the original.

²⁰⁰ Harris, op. cit., page 315-16.

²⁰¹ Harris, op. cit., page 315-16.

²⁰² Hemstreet, op. cit.

²⁰³ Harris, op. cit., page 315-16.

²⁰⁴ “An Interview With Redwood Summer Strategist and EF! Musician Darryl Cherney”, by Sharon Seidenstein, *Ecology Center Newsletter*, October 1990.

²⁰⁵ “Earth First! Friends Insist Victims Can’t Be Suspects”, by Eric Brazil and Jane Kay, *San Francisco Examiner*, May 25, 1990.

or even the timber industry would go *that* far.²⁰⁶ Nevertheless, Judi Bari brought them to the attention of the Mendocino County Sheriff's department and Ukiah Police, but neither took any action. She reported that Lieutenant Saiterwhite responded dismissively and unsympathetically, and said to her, "We don't have the manpower. If you show up dead, we'll investigate." The Ukiah police later claimed that they put the case on hold because Bari had refused to show them the evidence²⁰⁷, which is highly unlikely considering that she shared them with the press.²⁰⁸ In fact, Bari had refused to surrender the *originals*, which Ukiah Police Chief Fred Kepplinger claimed hamstrung the investigation, because it prevented them from obtaining evidence from fingerprints. Bari's refusal was no doubt motivated by her previous attempts to seek justice for the incidents in Philo and Whitehorn which had been ignored.²⁰⁹

Indeed, in spite of all of the denunciations by the powers that be of the comparison between Redwood Summer and the original Mississippi Freedom Summer, the atmosphere on the North Coast was beginning to resemble Mississippi all too closely.

²⁰⁶ Interview with Gary Cox, September 25, 2009. In retrospect, Cox regrets having said this, wishing *he* had taken the death threats more seriously, even though he was far removed from the action.

²⁰⁷ "Pipe Bomb Blast: 2 Earth First! People Injured; Car Destroyed – Injured Activists are Organizers of Summerlong Protests", by Judy Ronnigen and Paul Grabowicz, *Oakland Tribune*, May 25, 1990.

²⁰⁸ Bari, February 2, 1994, op. cit.

²⁰⁹ "Bari Had Started Laughing Off Death Threats", by Keith Michaud, *Ukiah Daily Journal*, May 25, 1990.

34. We'll Have an Earth Night Action

*Now Earth Day 1990 was Dennis Hayes' vision,
But instead of bringing us together it only caused division,
He said turn down your thermostat and recycle toilet paper,
And as long as they contribute don't confront the corporate rapers.*

—lyrics excerpted from *Earth Night Action*, by Darryl Cherney and Mike Roselle, 1990.

Amidst all of that was going on behind the Redwood Curtain, and the timber wars which were now raging nationally, the 20th anniversary of Earth Day was fast approaching, and even *that* was full of controversy. The hullabaloo wasn't over the hype building over the twentieth Earth Day, but rather the growing corporate and state influence over the planning of the events commemorating it. Instead of rallies, demonstrations, speeches, and teach-ins addressing the increasing threats to the environment, in particular by the increasingly destructive evolution of capitalism, the day was shaping up to be a collection of “innocuous ‘feel-good’ festivals” designed by the corporations to “put a shine on the tarnished images of this planet's despoilers.” The very “earth-raping” corporations whose records were most deserving of criticism had their hands on the purse strings. Worse still, control over organizing the events had been placed in the hands of the local city and county governments. In municipalities and counties where resource extraction or land speculation funded the campaigns of local politicians, there would be every incentive to soften criticism of such activities. As Earth First!er Jeffrey St. Clair put it, “If your issue is growth, how cleanly can you articulate that when the very people you're fighting are sitting on the planning committee?” The foxes were once again seizing control of the henhouse. In city after city, corporate influence was “green-washing” the event, and some of the worst offenders were the timber corporations clearcutting on California's North Coast.¹

For example, in Anchorage, Alaska, the local coordinator, Joanne Welch, was an ex ARCO employee. Arco had offered sponsorship, and Welch had informed activists that the committee would accept their donation without condition. As a result, they chose a fancy, expensive downtown convention center for the event's location, instead of free

¹ “The Corporate Buyout of Earth Day”, by Dale Turner, *Earth First! Journal*, Eostar / March 20, 1990.

venues available at the University of Alaska, precisely to distance the event from the 1960s image of student radicalism.²

The chairman of Hewlett-Packard, a company that had spewed at least 208,000 tons of chemicals harmful to the Earth's ozone layer, making it one of California's largest ozone depleting companies, was on the national Earth Day board, and the company was a major sponsor of the event in southern California.³

Organizers of Earth Day in Indianapolis extended an invitation to speak to then Vice President Dan Quayle, whose environmental record was suspect at best.⁴

In Portland, Oregon, Earth Day organizers declared timber issues "off of the table", and decided to allow "primary resource extractors," namely timber and mining companies to co-sponsor the event.

In St Louis, Missouri, organizers accepted \$15,000 from Monsanto Corporation, one of the nation's largest pesticide and herbicide manufacturers. This act sowed a major division in the local environmental community. Environmental activist Jan Richardson noted that some adamantly opposed accepting the donation, while others believed that the company was improving due to continual pressure from environmentalists. The naysayers decided to boycott the event and even threatened a counterdemonstration.⁵

Right in the heart of the brewing "timber wars" in northwestern California, TEAM was listed *first* on the letterhead of groups working on Earth Day in *Mendocino* County. To the Earth First!ers who had been fighting Maxxam now for almost half a decade, it was bad enough that TEAM passed itself off as a "workers' group" in *Humboldt County*; now they were spreading to the south. It was intolerable that they had any connection to Earth Day at all. This wasn't the worst of it, however. The local Corporate Press dailies, including especially the *Eureka Times-Standard* routinely accepted full page paid advertisements from Louisiana-Pacific, Pacific Lumber, and Simpson propagandizing readers about each corporation's "economic contributions" to the community, now accepted ads from them touting their "contributions" to Earth Day. Pacific Lumber in particular, started publishing advertisements with the slogan "For us, *every* day is Earth Day!", and to emphasize that they intended to exploit this new effort at greenwashing to the hilt, they placed a sign above the main entrance to their Scotia headquarters with the exact same slogan. It was obvious to the environmentalists that Earth Day was being corrupted into something quite contrary to its intended spirit.⁶

Many of the most committed *mainstream* environmental organizations welcomed the participation of corporations and local governments held hostage to "job blackmail". What was the explanation for the change? The answer was fairly obvious. The large, mainstream environmental organizations, including the Sierra Club, The Nature Conservancy, the Wilderness Society, and others were dominated by middle class,

² Turner, March 20, 1990, op. cit.

³ Turner, March 20, 1990, op. cit.

⁴ Turner, March 20, 1990, op. cit.

⁵ Turner, March 20, 1990, op. cit.

⁶ Turner, March 20, 1990, op. cit.

white collar professionals who had become utterly enveloped in Washington DC “inside the beltway” politics, namely, capitalism. Although local and grassroots environmental groups had been offered a seat at the table, they would be a minority of the power controlling the message. There were obvious class biases too. Mike Roselle had been invited to attend the first, national board meeting, which was to be held in Washington, DC, but no travel expenses were offered. For multinational corporations and large nonprofit environmental organizations, the cost of travel was no big deal. To struggling activists who live hand-to-mouth this created an inevitable barrier to entry.⁷ Roselle recounted:

“They said they didn’t have any travel money, but everybody else got there: the Hewlett Packard chairman, all these mucky-mucks who basically have enough money to travel...The only grassroots people on the board weren’t able to make it there...Nothing is being confronted except our own shopping habits...I’m really afraid Earth Day (is) becoming like Labor Day. Nobody talks of Big Bill Haywood. Nobody talks about the automotive strike...We just have fried chicken, wave some flags, and hear a few speeches from politicians...We can’t afford to let this happen to Earth Day.”⁸

Judi Bari and Darryl Cherney were determined to fight back against the corporate employer organized greenwashing of Earth Day, and after a good deal of frustration, they came up with an idea. Darryl Cherney soon publicly announced, “Earth Day has become the Christmas of the environmental movement, paying homage with a consumer orgy...The repeated message of Earth Day 1990 is buy, buy, buy.” To educate the confused masses to the “hijacking of Earth Day,” Earth First! would call for “Earth Day Free Zones,” where not only every day would be Earth Day, but every minute would be “Earth Minute,” with acknowledgement that time was running out. Taking a page from the IWW’s use of Salvation Army hymns with alternate lyrics that artfully conveyed the urgency of class struggle and the plight of exploited workers, the Earth Day Free Zone symbol was a reworking of the Earth Day 1990 logo, which depicted the planet Earth surrounded by a black and white diamond, which read “Earth Day 1990” twice. The reworked image showed the Earth breaking free by opening the lower right hand side of the diamond while exclaiming, “Free at last!”⁹ At the very least the idea gave Earth First! an opportunity to vent their frustration, but it also offered the greater potential of a chance at education.

The Earth Day Free Zones message was that while it is okay, in fact vital, that corporations *attempt* to clean up their act, it was unacceptable for them to sit on the boards of environmental organizations and control the Earth Day message in order for

⁷ Turner, March 20, 1990, op. cit.

⁸ Turner, March 20, 1990, op. cit.

⁹ “Earth Day 1990”, by Darryl Cherney, *Country Activist*, March 1990.

them to clean up their image and do nothing substantive to *actually* clean up their act. Besides, it was highly unlikely that the economic class and system that had led the world into the mess in the first place was suddenly going to lead the world out of it. Judi Bari summarized this thought by saying, “The only way Dow, DuPont, Exxon, Maxxam and Hewlett Packard are going to become environmentally safe is to shut down...We must challenge the divine right of corporations.”

Darryl Cherney wasn’t satisfied, however, and in a moment of literal dark humor, he suggested an alternative to Earth Day, called “Earth Night.” The idea was stated simply, “While people must make every day Earth Day, not every night can be Earth Night, because people must sleep. We’re asking people to pledge to go out one night a year and do something for the Earth.” To promote “Earth Night”, Darryl Cherney cut and pasted the black and white image used on the cover of *Ecofense*. The graphic depicted two shadowy figures in the foreground, each holding a wrench of a distinct sort in one of their hands. In the background is shown a silent and empty earth moving machine. While it can be inferred from both the statement and the image that Earth First! was suggesting monkeywrenching of some sort, no specifics beyond that are given.¹⁰ No targets were listed, and no suggestions on tactics were offered. And, to everyone’s knowledge, there were no actually organized “Earth Night” actions by Earth First!. In fact, Darryl Cherney insisted that the leaflets were “never more than a joke; typical tongue-in-cheek Earth First! Humor”,¹¹ and never meant to be taken literally—such was certainly true of many Earth First! songs, slogans, and images, which were designed mainly to provoke discussion through shock value rather than action “by the numbers.” In this case Cherney was just venting, and as far as anyone knows, he only sent the leaflets to his list of Earth First! contacts in early April.

However, this time somebody took the leaflets literally, their actions had significant consequences, and they set off a mysterious chain of events. Somehow, somebody, perhaps a member of TEAM, WE CARE, the Yellow Ribbon Coalition, or even—more ominously—the FBI, managed to intercept a copy. They may have even been one of the contacts on Darryl’s list working as an undercover agent, either for Corporate Timber or the government. The leaflet was reproduced, en masse with Cherney’s phone number on it (which hadn’t been there originally) and mailed to as many hostile gyppos and Corporate Timber supporters as they could find. Almost instantly, Cherney received dozens of threatening, accusatory phone calls. Most of them included threats of violence, but there were a handful of new death threats among the messages as well. At least one caller denounced Cherney as “a terrorist squirrel”.¹²

¹⁰ “The Media and the Earth Night Power Pole Sabotage”, by Zack Stenz, *Anderson Valley Advertiser*, September 5, 1990.

¹¹ “‘Eco-Terrorists’ Cut Power: Group Says it Caused Santa Cruz Area Chaos”, by Michael Benson, Christopher Plummer, and Lee Quarnstrom, *San Jose Mercury News*, April 24, 1990.

¹² Harris, David, *The Last Stand: The War between Wall Street and Main Street over California’s Ancient Redwoods*, New York, NY, Random House, 1995, page 302.

A few weeks later, the situation turned from merely bad to outright disastrous. On the night before Earth Day, some person or persons still unknown to this day, sabotaged power lines in Monterey, Santa Clara, and Santa Cruz and Counties, leaving as many as 100,000 residents without power.¹³ While the saboteurs were never positively identified, the targets and the controversy surrounding them bore an eerie resemblance to the sting operation in Arizona that took place one year earlier.

It's not even entirely clear that actual deliberate sabotage was carried out. Damage to power lines, even high voltage electric transmission lines, due to wear and tear, earthquakes, storms, or fallen tree branches is quite common. Sometimes, even repair crews themselves inadvertently caused damage. For example, on Sunday, April 22, Pacific Gas and Electric Company (PG&E) crews accidentally ignited a small fire while attempting to repair a cut apart wooden power pole near Watsonville. While the wooden pole may have been sabotaged, the disruption it caused was minimal. On the other hand, the inadvertent fire caused a two-hour outage affecting 92,000 Santa Cruz residents. A second cut apart pole was found nearby at 2:58 PM, but crews repaired it without incident or outages. Early in the morning on April 23, a 100-foot high metal tower, also located in Watsonville was knocked over, cutting power to approximately 92,000 customers for four hours. Later, at 8:55 AM, a power line in Morgan Hill broke and left 95,000 Santa Cruz and Santa Clara County customers devoid of electricity. Whether or not this was the result of sabotage, incompetence, human error, or natural causes was unknown.¹⁴ PG&E even admitted there was no evidence linking the damage to any specific group, let alone Earth First!¹⁵

If it *was* sabotage, there *may* have been a connection with Earth Day. One of the corporate sponsors attempting to muscle in on Earth Day Santa Cruz *was* PG&E. At least a week before Earth Day, copies of the "Earth Night Action" leaflet were spotted around the University of Santa Cruz campus. Alison Bowman, a writer for the Santa Cruz based progressive and activist oriented *City on the Hill*, predicted possible acts of sabotage in an article published in that periodical on April 19, 1990.¹⁶ An anonymous group, whose members have never been identified—if there ever was such a group—calling itself the Earth Night Action Group (ENAG) wrote a *handwritten* letter in a plain white envelope to the media claiming responsibility for the sabotage. Their letter included statements like "In defense of Mother Earth, we say no thanks to lip service from corporate Earth rapists like PG&E." Delivery of the letter was preceded by a phone call from "an unidentified man with a youthful voice with no discernible accent," alerting them of the actions. The ENAG was a mystery; *Earth First! Journal* editor

¹³ "1990: A Year in the Life of Earth First!", by Judi Bari, *Anderson Valley Advertiser*, January 2, 1991.

¹⁴ "Complete Protection of Powerlines is Impossible Goal", by Thomas Farragher, *San Jose Mercury News*, April 24, 1990 and Stenz, September 5, 1990, op. cit.

¹⁵ "Vandals Cut Power to 92,000; Ecology Protest Hinted", by Betty Barnacle, *San Jose Mercury News*, April 23, 1990.

¹⁶ Stenz, September 5, 1990, op. cit.

Dale Turner told the media that he had no knowledge of the group.¹⁷ FBI spokesperson Duke Diedrich stated that, “he had never heard of the group before” either.¹⁸

The name Earth Night Action Group quite likely took its name from the Earth Night Action posters, but beyond that any connection to Earth First! is tenuous at best. It may have been a small group or even one individual. It may have been an actual group of monkeywrenchers, including, perhaps, even Earth First!ers from the Santa Cruz and/or Watsonville area. The group may have actually carried out the sabotage, or they may have merely written the letter to make something out of nothing, especially if the power line sabotage had been accidental or natural causes. A more sinister possibility exists, however, and that is that ENAG may never have existed *at all*, and somebody, perhaps Candy Boak—in yet another attempt to monkeywrench the monkeywrenchers—or even the FBI (in yet another COINTELPRO-like act), conjured them up to paint a much more sinister picture of Earth First! and perhaps implicate Darryl Cherney.¹⁹ Given the lengths that the FBI had gone to the previous year to set up Dave Foreman and Peg Millet, this was well within the realm of possibility.

Confusing matters still further, the name, Earth Night Action Group also sounded suspiciously similar to an actual group called the Earth *Day* Action *Coalition* (EDAC), which was based in Berkeley. EDAC was hardly created in the spirit of ENAG. It was open and aboveboard, choosing to openly declare itself. It included Earth First!ers and IWW members from the Bay Area, but it was a much larger coalition which included many other activist tendencies, organizations, and affinity groups united around the common themes of environmental sustainability, workers’ rights, peace and social justice, anti-imperialism, and ethnic diversity. EDAC planned, and carried out a successful, multifaceted series of direct actions on the cold and rainy morning of April 23, 1990 at the Pacific Stock Exchange in San Francisco in protest over the corporatization of Earth Day. These actions were only remotely and indirectly connected with Redwood Summer (although EDAC later reorganized as the “Earth Action Network” and *did* participate in Redwood Summer).²⁰

On the morning of April 23, over 600 demonstrators took part in a blockade and protest at the Pacific Stock Exchange in San Francisco. The demonstration consisted of

¹⁷ “Environment Group Says it Caused PG&E Sabotage”, by Paul Avery, *San Francisco Examiner*, April 23, 1990; “Saboteurs Cut Power to Santa Cruz”, *Oakland Tribune*, April 24, 1990; “‘Eco-Terrorists’ Cut Power: Group Says it Caused Santa Cruz Area Chaos”, by Michael Benson, Christopher Plummer, and Lee Quarnetrom, *San Jose Mercury News*, April 24, 1990; “Group Claims Responsibility: Letters Say ‘Sabotage’ Directed at PG&E”, by John Robinson, *Santa Cruz Sentinel*, April 24, 1990; “Environmental Group Claims it Cut Power Line”, *AP Wire*, *Ukiah Daily Journal*, April 24, 1990; and “Outage This Week Underscores Vulnerability of Modern Society to Saboteurs”, by Elizabeth Fernandez, *San Francisco Examiner*, April 25, 1990.

¹⁸ “Earth Day Protests Turn Violent: 49 Arrested in San Francisco”, staff report, *Santa Rosa Press Democrat*, April 24, 1990.

¹⁹ “The Earth First! Car Bombing”, by Judi Bari, *Earth First! Journal*, Brigid / February 2, 1990.

²⁰ “Earth Day Actions at the Pacific Stock Exchange”, by the Earth Action Network, *Earth Action Network Newsletter*, June 1990.

various autonomous but federated affinity groups conducting a series of coordinated, but individually planned actions, including a blockade of one entrance by a group all dressed in bear costumes. The blockade succeeded for three hours. The police, in their attempts to reestablish control of the scene actually intensified the disruption by placing their metal crowd control barriers across Bush and Montgomery Streets, thus stopping the flow of automobile traffic, which was made worse by the complex system of one-way streets, trolley, and cable cars in the city's northwest financial district. Ultimately 49 people were arrested on a variety of mostly misdemeanors. It was only at this juncture did the demonstrators grow rowdy, and a handful broke windows at the nearby Bank of America, while a few others pitched golf balls, rocks, and eggs at the police.²¹

This entire affair was, in turn, carried out in coordination with similarly organized direct actions at the New York Stock Exchange in New York City, conducted by a coalition of over 60 organizations who mobilized over 2,000 protesters. 700 riot police arrested 200 demonstrators at the latter protest. At the latter event, police arrested as many as 204.²² But neither were connected with ENAG or even directly to Earth First!

Meanwhile, the *actual* Earth First! organized protest (in northern California, at least) of the selling out of Earth Day took place on the Golden Gate Bridge, where a group of eight trained tree climbers, led by Greg King, scaled halfway up the cables of the bridge and attempted to hang a banner reading "Save This Planet: (1) Defend Ancient Forests; (2) Ban Fossil Fuels; (3) Earth First!" from its north tower.²³ The climbers parked on the bridge in the middle of a temporary lane closure at 3:15 AM. They then glued the locks shut to the doors leading to the bridge's tower elevators.^{24,25}

²¹ "49 Arrested in Earth Day Protest: Financial District Becomes Target of Howling Crowd", by Jane Kay and Dennis J. Opatruy, *San Francisco Examiner*, April 23, 1990; "Protesters Snarl Wall Street; 150 Arrested", *AP Wire*, *Ukiah Daily Journal*, April 23, 1990; "Earth Activists: Noisy Protests in S.F., New York", by The *Tribune* Staff and News Services, *Oakland Tribune*, April 24, 1990; "Save the Gerbils, Lose the Enviro-Thugs", column by Rob Morse, *San Francisco Examiner*, April 24, 1990; "Demonstrators Target Financial District", by Miranda Ewell, *San Jose Mercury News*, April 24, 1990; "Not-so-Happy Post Earth Day in SF and NYC", *AP Wire*, *Santa Cruz Sentinel*, April 24, 1990; and "Earth Day Actions at the Pacific Stock Exchange", by the Earth Action Network, *Earth Action Network Newsletter*, June 1990.

²² "Earth Day Protests Turn Violent", *Santa Rosa Press Democrat*, April 24, 1990.

²³ "Environment (sic) Radicals Scale Gate Bridge; 13 Arrested After Trying to Fly Banner", by Perry Lang, *San Francisco Chronicle*, April 25, 1990; and "Why We Climbed the Bridge", by Jennifer Grant, *Country Activist*, June 1990.

²⁴ "Harris, op. cit., page 319.

²⁵ "Protesters Climb Span; 12 Arrested", by Maura Thurman, *Marin Independent-Journal*, April 24, 1990; "Earth First!ers Scale the Golden Gate Bridge", *AP Wire*, *Ukiah Daily Journal*, April 24, 1990; "Activists Occupy GG Bridge, 13 Earth First! Militants Seized: Ironworkers Pluck Environmentalists From Atop Bridge", by Eric Brazil and Paul Avery, *San Francisco Examiner*, April 24, 1990; "Backlash to Bridge Protests: Local Officials Call for Harsher Penalties", by Alex Niell, *Marin Independent-Journal*, April 25, 1990; "Earth First! Protest Atop Gate Bridge", *AP Wire*, *Oakland Tribune*, April 25, 1990;

Thirteen Earth First!ers, including the ground support crew were arrested on the northern end of the Golden Gate Bridge, on the Marin County side in Sausalito.²⁶ Among those arrested were Darryl Cherney and Karen Pickett, even though Cherney and Pickett—who had stayed near a payphone at Vista Point on the northern bridge landing in Marin County to provide media coverage—hadn’t even been close to the action.²⁷

The arresting officers were not from the Sausalito or San Francisco Police departments however. They were from the FBI and the *Oakland* Police force. For those not familiar with the geography of the San Francisco Bay Area, Oakland is located a fair distance away from the north end of the Golden Gate Bridge. In order for a police squad to get to that point, they would have to either cross the San Francisco Bay Bridge, a distance of five miles on Interstate Highway 80, a major commuter artery, then proceed through the surface streets of the city’s northwestern Financial District, the North Beach area, and the Presidio, and cross the Golden Gate Bridge. Alternatively, they could have driven north on the Eastshore Freeway through Emeryville, Berkeley, and Albany, picked up Interstate 580 west in Richmond, traveled across the Richmond San-Rafael Bridge to Larkspur and Corte Madera, and then south on US 101 for a distance of five miles or so. And yet, nobody at the Stock Exchange action reported the presence of Oakland Police there, which was substantially *closer* to Oakland than the Golden Gate Bridge.²⁸

Either way, the Oakland Police were substantially outside of their normal jurisdiction. Oakland is in Alameda County. Marin County is at least two counties distant from Alameda County whichever route one takes to get there from Oakland. 13 arrestees is a tiny number for such a display of force. However they seemed to have a particular agenda, as they searched and impounded Darryl Cherney’s vehicle and searched his backpack, without a warrant, and confiscated the master copy of the Earth Night Action flyer. They also searched through his notebook, learning the contact information for every person involved in Redwood Summer. Oddly enough, the police and FBI had released Cherney without any comment on the master for the leaflet.²⁹ Yet, they held on to his possessions, as well as those of Tracy Katelman and Karen Pickett indefinitely.³⁰ Within hours of all the hubbub, Hill & Knowlton distributed the packet of

and “Earth First! Climbs the Golden Gate: 13 Arrested in ‘Nonviolent,’ Pre-Dawn Banner Unfurling Attempt on Bridge”, By Mike Geniella and Clark Mason, *Santa Rosa Press Democrat*, April 25, 1990.

²⁶ Bari, January 2, 1991, op. cit.. The thirteen arrestees included Christine Batycki, Darryl Cherney, Lyn G. Dessaux, Michelle Dulas, Brian Gaffney, Jennifer Grant, John K. Green, Mark Heitchue, Tracy Katelman, Greg King, Larry Mayers, David Parker, and Karen Pickett. Judi Bari had chosen not to participate in the event, because she felt that—while dramatic—the arrest risk for such a miniscule payoff was not worth the effort.

²⁷ “An Interview With Redwood Summer Strategist and EF! Musician Darryl Cherney”, by Sharon Seidenstein, *Ecology Center Newsletter*, October 1990.

²⁸ Bari, February 2, 1994, op. cit.

²⁹ Bari, February 2, 1994, op. cit.

³⁰ “Cherney”, Seidenstein, October 1990, op. cit.

bogus Earth First! press releases (including those made by Candace Boak and David Cruzon) to the media.³¹

There was no connection between Earth First! and the ENAG actions either, nor was there any connection between the Stock Exchange Action or the Golden Gate Bridge Action and the Santa Cruz power line sabotage. The corporate media certainly went out of their way to suggest one, attributing the demonstrations, vandalism, and power outages to “radical environmentalists”, only conceding that the three actions were unrelated to each other deep in the closing paragraphs of the news articles.³² Naturally, ignorant and reactionary readers contributed their share of speculation, such as one reader, who compared the ENAG action to the tree-spiking injury to George Alexander, blaming both on radical environmentalists (even though neither action was attributable to environmentalists at all).³³ Another reader denounced both the unknown power line saboteurs and the EDAC stock exchange protesters as “terrorists” and suggested that all of them “should have their welfare payments stopped” repeating the already hackneyed canard that all antiestablishment activists were “unwashed-out-of-town- jobless-hippies-on-drugs.”³⁴

Individual Earth First!ers didn’t help matters or win any supporters by speaking favorably of the act. Darryl Cherney wrote a tongue-in-cheek song about the incident called *Earth Night Action*, which is featured on his 1991 album, *Timber*. Santa Cruz Earth First! activist Karen Debraal declared, “I think they are heroes and what they did is great,” but she later clarified her statement when she discovered the scope of the outage and the public reaction to it by stating, “I feel they really quoted me out of context.”³⁵ Judi Bari herself declared:

If somebody took (the Earth Night Action leaflet) seriously, it was not our fault. It was never meant to be a serious call for action...I think they were pretty heroic...Who’s the terrorist? The person who takes down a couple of power lines, or a corporation that operates on an earthquake fault? A corporation that used their political and economic might to force the opening of that plant against massive public opposition and scientific testimony?...Better melted ice cream in your freezer than a melted reactor core at Diablo Canyon.”³⁶

This was certainly a valid point, but given the corporate media’s ability to spin such events effectively against environmentalists, it did not make strategic sense to

³¹ “Eco-Wars: Battle for Environment is Heating Up; Outage This Week Underscores Vulnerability of Modern Society to Saboteurs”, by Elizabeth Fernandez, *San Francisco Examiner*, April 25, 1990.

³² Stenz, September 5, 1990, op. cit.

³³ “Saboteurs”, letter to the editor by Gene Warnick, *Santa Rosa Press Democrat*, May 1, 1990.

³⁴ “Terrorists”, letter to the editor by O. W. Jackson, *Santa Rosa Press Democrat*, May 2, 1990.

³⁵ Stenz, September 5, 1990, op. cit.

³⁶ “‘Eco-Terrorists’ Cut Power: Group Says it Caused Santa Cruz Area Chaos”, by Mitchel Benson, Christopher Plummer, and Lee Quarnetrom, *San Jose Mercury News*, April 24, 1990.

even issue statements in support of poorly thought out acts of sabotage—even if the supporters had no connection to or knowledge of those who carried them out—that ultimately did not significantly alter the operations of the intended target when far more effective means to do so existed that would not alienate end users. Letter writer Meredith Bliss excoriated Judi Bari for her ill-chosen statement, arguing that Santa Cruz had already suffered enough damage due to the Loma Prieta Earthquake in October of 1989.³⁷ (The *Santa Rosa Press Democrat* went as far as comparing her to Marie Antoinette and her infamous and asinine “Let them eat cake” statement, though this was grossly inaccurate, because Bari was hardly a member of the ruling class).³⁸ To her credit, Judi Bari acknowledged this mistake by stating, “Given what Santa Cruz has been through with the earthquake, they were a bad target for an action like that. Now, if they would have cut the power to the Pacific Stock Exchange, that would have been different.”³⁹

The mainstream media completely ignored the connection between the sabotage (or rather ENAG’s taking *credit* for the sabotage) and the inherent dangers of using nuclear fission power and its negative side effects. They also neglected to discuss PG&E’s less than stellar environmental record and the inappropriateness of having that (or any) corporation sponsoring local Earth Day events.⁴⁰ Only the *Los Angeles Times* discussed the issue in any meaningful way and quoted *City on the Hill* writer Alison Bowman who declared, “Some people think it’s wrong to write about this in a way that’s not critical (of the ENAG).”⁴¹ For the record, even Bowman didn’t endorse the sabotage, but she considered PG&E’s crimes far worse than the ENAGs act of downing power lines. The continued operation of the Diablo Canyon nuclear plant was a much worse form of “eco-terrorism”.⁴² However, in the eyes of the corporate media, corporations and capitalism are never the bad guy—just individual corporate executives or capitalists “who give the free market a bad name”. Taking a page out of Louisiana-Pacific’s book, PG&E and the Santa Cruz County Board of Supervisors offered a 25,000 reward for the apprehension of the ENAG.⁴³

Residents of Santa Cruz County whose electric power was interrupted were none too happy about the outages, even though the damage was minimal. Most letters to the editor of the *Santa Cruz Sentinel* were negative towards the ENAG and the power line sabotage (especially given the fact that the Sentinel published reports of

³⁷ “A Dangerous Game”, letter to the editor by Meredith Bliss, *Santa Rosa Press Democrat*, May 8, 1990.

³⁸ “Stretching the Limits of Wretched Excess”, editorial, *Santa Rosa Press Democrat*, April 26, 1990.

³⁹ Stenz, September 5, 1990, op. cit.

⁴⁰ Stenz, September 5, 1990, op. cit.

⁴¹ “Some Decry, Some Salute Sabotage of Power Lines”, *Los Angeles Times*, April 25, 1990.

⁴² “Will the Real Eco-Terrorist Please Stand Up?”, by Alison Bowman, *City on a Hill*, April 26, 1990.

⁴³ “PG&E Sabotage Reward Grows”, by Steve Perez, *Santa Cruz Sentinel*, April 25, 1990.

people inconvenienced by the outrage)⁴⁴, although the “On the Street” interview section featured more mixed responses.⁴⁵ In the latter, only two out of the five respondents were outraged (one of whom was upset because he was unable to have his coffee), one had mixed feelings (he received a day off from work—which he welcomed—but still considered the sabotage selfish), and the two remaining respondents declared that the sabotage was done for valid reasons and taught people a valuable lesson about the environment and taking energy for granted.⁴⁶ There were no human injuries reported resulting from the power outage, although one woman’s power driven respirator failed, and she had to have it hand pumped when its back-up batteries drained.⁴⁷ The only death was that of an exotic parrot whose life sustaining incubator lost power.⁴⁸

Nevertheless, given events that took place in Arizona a year previously and the recent renunciation of tree spiking, the targeting of power lines would have been the height of strategic stupidity. On the other hand, if one assumes that the Santa Cruz County power line sabotage was an act of COINTELPRO, it makes perfect sense, because it only really benefitted Earth First!’s *detractors*. Indeed, the damage to the power poles caused disruption to Earth First!’s efforts in Santa Cruz. Lisa Henry, one of the principle organizers for Redwood Summer among the student population at the University of California campus there had no connection whatsoever with the ENAG, but after the incident, she was the person that everyone seeking information from press, to law enforcement, to other activists contacted. This caused considerable tension between Henry and her housemates, which was made all the more worse when they discovered through the use of a phone tap detecting device that the FBI had bugged their phone. Henry’s housemates had already expressed discomfort with her radical politics and told her, in no uncertain terms, not to perform any more of her organizing work there.⁴⁹ Had Humboldt or Mendocino County Earth First!ers actually carried out Earth Night actions, one would have expected them to do so locally and likely chose a target closer to their immediate concerns, such as a feller-buncher or logging equipment, and logging and lumber mill facilities were especially heavily guarded the night in question, but no such equipment sabotage took place.⁵⁰

Several years later, Judi Bari blamed herself for the naïve statements she initially made about the Santa Cruz power lines, where she called the unknown Earth Night Action Group activists “heroes.” She later understood that the entire affair may well have been a setup, not dissimilar to what had taken place in Arizona, and it effectively

⁴⁴ See, for example, “Vandals’ Acts are Disgusting”, column by Wally Trabing, *Santa Cruz Sentinel*, April 25, 1990.

⁴⁵ “People Outraged by Power Outages”, by Jamie Marks, and “Manmade Disasters Not Welcome”, editorial, *Santa Cruz Sentinel*, April 24, 1990.

⁴⁶ Stenz, September 5, 1990, op. cit.

⁴⁷ “Outages Cut Woman’s Lifeline”, by Marie Guara, *Santa Cruz Sentinel*, April 24, 1990.

⁴⁸ Stenz, September 5, 1990, op. cit.

⁴⁹ “Lisa Henry on her 22nd Birthday”, Lisa Henry interviewed by Beth Bosk, *New Settler Interview*, January 1991

⁵⁰ Stenz, September 5, 1990, op. cit.

undermined the positive effect that the tree spiking renunciation and the nonviolence code had brought about, at least in the eyes of many who accepted the Corporate Press's biased reporting against radical environmentalism uncritically.⁵¹ In a clear case of fear-mongering, the *San Francisco Examiner* even posited, "The scenario: Terrorists, whether religious fanatics or political zealots attack the Bay Area. They plant explosives on the transmission towers of key electric lines. They bomb telephone switching stations. They poison the water..."⁵² The article then discussed the EDAC Stock Exchange action, the ENAG power line sabotage, Earth First!, and Redwood Summer, giving readers the impression that all of these scenarios, incidents, and actions were attributable to Earth First!.⁵³

* * * * *

When Darryl Cherney learned of the fate of his notebook, "frightened" was only his *initial* reaction. Within a day he had a full-on panic attack followed by a near total emotional meltdown. After returning to the North Coast, upon meeting with Judi Bari—with whom his romantic relationship was nearing its unceremonious end—he proceeded to engage in a fit of paranoia and rage. This was all that Bari needed to convince her that, while they might still be comrades politically, they were indeed through as a romantic couple. She was also convinced that Cherney needed a vacation. She contacted the Earth First!ers in Arizona and asked them to take Cherney in for a week to help him clear his mind. They had survived FBI infiltration almost a year ago. Cherney would also, and a good talking to would help. Cherney calmed down and eventually agreed. He had not been wrong about the FBI's involvement in their affairs, however.⁵⁴

The day after the Stock Exchange act, the Golden Gate Bridge banner hanging, and the mysterious acts of sabotage in Santa Cruz, the FBI carried out a mock exercise involving a car bombing crime scene. At first glance, this might not have seemed unusual. The FBI and local law enforcement conducted an annual week-long Bomb Investigators' training course through the auspices of the College of the Redwoods in Eureka.⁵⁵ Only this particular day, the class convened on private land owned by Louisiana-Pacific (a clear-cut no less) in Humboldt County. Included among the attendees were Special Agent Frank Doyle, Supervisory Special Agent Patrick Webb, SA John F. Holford, Oakland Police Sgt. Myron Hanson⁵⁶, and L-P security chief Frank

⁵¹ Bari, February 2, 1994, op. cit.

⁵² "Eco-Wars: Battle for Environment is Heating Up; Outage This Week Underscores Vulnerability of Modern Society to Saboteurs", by Elizabeth Fernandez, *San Francisco Examiner*, April 25, 1990.

⁵³ Bari, February 2, 1994, op. cit.

⁵⁴ Harris, op. cit., pp 319-20.

⁵⁵ Harris, op. cit., page 317.

⁵⁶ "FBI Bomb School and Other Atrocities", by Judi Bari, *Anderson Valley Advertiser*, October 19, 1994.

Wiggington.⁵⁷ The attendees practiced investigating three different scenarios involving a vehicle that matched Judi Bari's car perfectly. In each of the three examples, an antipersonnel bomb was exploded under the car driver's seat.⁵⁸ Something very fishy was taking place, and only time would tell what it was.

⁵⁷ Public comment by Darryl Cherney following a showing of *Who Bombed Judi Bari?*, July 29, 2012.

⁵⁸ Harris, op. cit., page 317.

35. “You Brought it On Yourself, Judi”

“A lot of social movements get called terrorism. It dehumanizes (them). People have tried working through the system for years. It didn’t work.”

—Alison Bowman, editor, *City on a Hill*¹

“The vast majority of people in this world neither own nor believe in ‘private property’, not because they are communists, but because they know it is not possible to own the Earth. This applies to the animals, too, which overall are a hell of a lot smarter than most humans.”

—Darryl Cherney, May 22, 1990²

Darryl Cherney returned from Arizona, refreshed and ready to resume organizing, but the situation in Humboldt and Mendocino County was as volatile as ever. The buildup to Redwood Summer was exceeding all the organizers’ expectations. It was clear to everyone that the North Coast was about to experience a civil war. Accusations of “polarization” and “violent rhetoric” were constantly leveled at the Earth First! and IWW activists preparing to organize Redwood Summer, and many of these came from both local and corporate media outlets. The picture they painted was one of a once peaceful and prosperous region of logging communities disrupted by environmental extremists bent on wreaking havoc on the struggling, hard working timber workers of the region. Such descriptions couldn’t have been more divorced from reality.

Judi Bari had made it clear from the get go that the Redwood Summer demonstrators would not engage in hostile confrontations with the loggers, even if their actions impacted them directly:

“Our very style (if you look into Wobbly history) was taken from the loggers. We’ve had, since I’ve been in Earth First, an unwritten code that the loggers should be treated as potential allies. And we should be totally respectful of them. We are the only environmental group that I know of that has established the kind of relations with the rank and file loggers that we have.

¹ “Wrench in the Works: Environmentalists Practice ‘Aggressive Nonviolence’”, by Tracie White, *Santa Cruz Sentinel*, May 20, 1990.

² “The Cost of *Not* Having Trees”, letter to the editor by Darryl Cherney, *Redwood Record*, May 22, 1990.

We've spoken for their interests, we've met with them, we even have a union local (IWW Local #1) with them. We have all different levels of rank and file loggers working with us. At the Eminent Domain demonstrations we appeared in public with the loggers and mill workers. We are not going to be yelling at the loggers because we have respect for them as working people."³

Between the months of March and April, the campaign had gone from being just Bari, Cherney, an increasingly reluctant Greg King, and about a dozen others to as many as 100 different organizers. Meetings routinely averaged 60 participants. Almost all of them were local residents and not "outside agitators."⁴

If anything, it was the forces of reaction that engaged in the most polarization. Indeed, in just the short period while Darryl Cherney vacationed in Arizona, Glenn Simmons continued to editorialize similarly in the pages of the *Humboldt Beacon and Fortuna Advance*, denouncing the organizers of Redwood Summer, because (according to Simmons) they "didn't believe in God" (specifically a Christian Fundamentalist incarnation of "God").⁵ The Mendocino County chapter of the "Associated California Loggers" (still one more employer organization) accused environmentalists of "terrorism" (but cited no specific acts as evidence).⁶ L-P spent \$100,000 to construct a barbed wire fence surrounding its Ukiah mill to "protect" its employees from Earth First! "terrorists".⁷ Georgia Pacific cancelled public tours of its facility in Fort Bragg, and threatened to restrict access to its lands also ostensibly for similar reasons.⁸ Simpson Timber spokesman Ryan Hamilton accused Redwood Summer of "setting a somber tone (that) could become a frightening situation."⁹ A group of "pro-timber" Yellow Ribbon supporters held a demonstration in Fort Bragg denouncing Earth First!, Redwood Summer, and *Forests Forever*.¹⁰ One local resident, in a letter to the *Santa Rosa Press Democrat*

³ "Judi Bari Responds", Judi Bari interviewed by Lynne Dahl, *Anderson Valley Advertiser*, May 16, 1990.

⁴ "An Interview With Redwood Summer Strategist and EF! Musician Darryl Cherney", by Sharon Seidenstein, *Ecology Center Newsletter*, October 1990.

⁵ "Dialog Needed Now", editorial by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, April 26, 1990.

⁶ "Timber Workers Threatened", letter to the editor by the Associated California Loggers, Mendocino County Chapter, *Mendocino Beacon*, April 26, 1990.

⁷ "1990: A Year in the Life of Earth First!", by Judi Bari, *Anderson Valley Advertiser*, January 2, 1991.

⁸ "G-P Axes Mill Tours, Closes Off Land", by Tobias Young, *Santa Rosa Press Democrat*, May 4, 1990, "G-P Closes Mill Tours, Maybe Land Access in Response to Planned Protests", by Keith Michaud, *Ukiah Daily Journal*, May 4, 1990; and "G-P Ends Mill Tours, Fears Sabotage", by Brooks Mencher, *Mendocino Beacon*, May 10, 1990.

⁹ "Lawmen, Timber Firms Taking Mississippi Summer Seriously", by Mary Anderson, *Redwood Record*, May 1, 1990.

¹⁰ "Fort Bragg Loggers Cut Environmentalists", by Keith Michaud, *Ukiah Daily Journal*, April 25, 1990.

even warned against covering Earth First! in the media, lest the “good people” of the North Coast would soon find bombs inside their cars!¹¹

Indeed, after the incident in Santa Cruz, every act of vandalism, sabotage, or even accidents were blamed on Earth First! There was often no way to tell if any of these incidents were real or manufactured either. For example, in the first few days of May, a Humboldt County gyppo operator in Redway, Van Meter Logging, received an anonymous bomb threat from somebody claiming to be from Earth First!, but this was either a crazy nut (with no association to Earth First! whatsoever), a fabrication by Pam Van Meter herself, or worse still, a another attempt by somebody to monkeywrench the monkeywrenchers in a dangerous act of subterfuge. “(The anonymous bomb threat) was definitely not Earth First!. Earth First! does not engage in attacks against people or terrorism. I sincerely feel sorry for this woman, but we had nothing to do with it,” declared Judi Bari. Van Meter was unsatisfied with this response, and still blamed Earth First!, stating, “If it wasn’t for them, it wouldn’t have happened in the first place,” which was akin to blaming the victims in Mississippi Summer for inciting the racist repression against them. As it turned out, no bomb ever surfaced, at least not in Redway.¹²

There were plenty of actual threats against Earth First! and its allies, however, and not just anonymous death threats any longer. For example, Humboldt County supervisor Anna Sparks declared, “I think you’re asking for trouble, because they’re (going to be) up here protesting the jobs of the loggers and taking away their livelihoods through their protests and taking away the constitutional rights of people. You can’t help but bring violence in!”¹³ This was bad enough, but in Mendocino County Charles Stone, a right wing radio talk show host with ties to *actual* extremist organizations (to which crypto-fascist Jack Azevedo also belonged) was now using his daily program on KDAC in Fort Bragg to whip up hysteria against Judi Bari and Redwood Summer. Following the incident in Santa Cruz, he urged his regular listeners, who included many of the local gypsos, to pressure the Board of Supervisors to “order” the Redwood Summer to appear so that the “*real*, god fearing citizens” of the county could pin them down and force them to admit all of their nefarious, secret agendas (whatever *those* were).¹⁴ Surprisingly, supervisor Liz Henry, of all people, agreed, and placed the matter of Redwood Summer on the agenda for the May 1 meeting.¹⁵

Supervisor Henry no doubt naïvely assumed that she could negotiate some sort of agreement whereby the demonstrations would not result “in serious injury or economic disruption”, but this failed to understand the true nature of the problem. As was the

¹¹ “Cut Coverage”, letter to the editor by Nora Hamilton, *Santa Rosa Press Democrat*, April 24, 1990.

¹² Young, May 4, 1990, op. cit.

¹³ “Who Bombed Judi Bari”, film by Darryl Cherney and Mary Liz Thompson, 2012.

¹⁴ “Who Bought Steve Talbot”, by Judi Bari, *Anderson Valley Advertiser*, May 29, 1991.

¹⁵ “‘Redwood Summer’ Talks Heat Up: Loggers, Organizers Square Off”, by Keith Michaud, *Ukiah Daily Journal*, May 2, 1990.

case in the original Mississippi Summer, appealing to the rule of law was impossible when the law was bought and paid for by the perpetrators of the injustice being challenged in the first place. It was at best foolhardy to ignore the fact that economic disruption had already been occurring (at the hands of the corporations) now for over a decade. Bari faced a Catch 22. She knew that little was to be gained by appearing at what was likely to be a star chamber of hostility, but to *not* appear would allow the charges against Redwood Summer to go unanswered, and Bari was determined not to back down in the face of prejudice *this* time. Knowing that she would be hopelessly outnumbered, she enlisted as many allies as she could muster.

Naomi Wagner recollected:

“Timber people had asked the supervisors to put the issue of Redwood Summer on the agenda, and they were going to be showing up in force to protest the whole affair and demand the supervisors ‘Do Something’.

“Judi had called me and said she felt she wanted to be there to stand up to their charges and that she wanted some support. And really, it was on a woman-to-woman basis that I went there at that time and that probably supersedes all the political aspects, that I don’t want to see another woman threatened.

“Certainly not because she is exercising her right to free speech. And I don’t care how unpopular what she says may be. I don’t even care if I disagree with it, she doesn’t deserve to be threatened.”¹⁶

If Liz Henry had hoped for a civil discussion, she was to be greatly disillusioned. As Bari had predicted, the chambers were filled with a small number of Redwood Summer organizers vastly outnumbered by angry and hostile Gyppo owners and their spouses who had been alerted to the meeting and incited to show up en masse by Charles Stone.¹⁷ These included Tom Loop (who was part of many of the same right wing organizations as Azevedo and Stone)¹⁸, Jerry Philbrick, and Maribelle Anderson (the wife of Gyppo operator Mike Anderson), as well as Doug Goss, L-P head of security for its Ukiah facility.¹⁹ Board chair James Eddie was ill, so Norm de Vall chaired the meeting in his place.

Liz Henry began by admonishing Judi Bari to provide some estimate of Redwood Summer’s scope and duration. In the face of all of the violent anti-environmentalist rhetoric, Henry’s primary concern seemed to be budgetary matters rather than the big picture, namely the wholesale destruction of the North Coast’s forests (and with that its timber job base). The Supervisor questioned why Bari suggested that the county call

¹⁶ “The Reinhabitants Perspective”, Naomi Wagner interviewed by Beth Bosk, *New Settler Interview*, Issue #51, August 1990.

¹⁷ Bari, January 2, 1991, op. cit.

¹⁸ Bari, May 29, 1991, op. cit.

¹⁹ Bari, January 2, 1991, op. cit.

out the National Guard (if it felt that law enforcement was necessary and it couldn't afford to finance its own police costs) and denounced the suggestion as irresponsible.²⁰ Bari conceded that she had indeed made that suggestion in the context of reminding the supervisor that balancing Mendocino County's budget was not Earth First's job, but Henry had forgotten that the idea had *also* been suggested by her fellow supervisor Norm de Vall.²¹ "Calling in the National Guard is a last resort and only the governor can do that," interrupted Sheriff Tim Shea angrily, adding that doing so meant that county had already lost control of the situation.²²

Supervisor de Vall was not any more constructive however, declaring that Redwood Summer "(fell) short of reality" and added that "the workers and independent logging contractors (didn't) set corporate policies," an obvious point that Judi Bari had many times herself made clear.²³ Bari reiterated—for the hundredth time, it seemed—that she understood the concerns of the timber workers and knew they were not responsible for the policies of their Corporate masters.²⁴ De Vall then demanded to know how Bari could call Earth First!'s actions "nonviolent" if they involved blocking the pathway of somebody who was going to work, evidently forgetting for the moment that the then current Corporate Timber practices threatened *all* jobs on the North Coast. Bari responded, "If somebody is slowed down for a day, they are not going to be prevented from making a living," which was sensible, but the gypos booed and hissed at the notion.²⁵

At this point, an increasingly agitated Liz Henry declared, "If one person is killed or seriously injured, I don't think I can continue in this position." The problem was that more than one person had *already* been seriously injured (Mem Hill, Greg King, Pam Davis and her two children, Darryl Cherney, Judi Bari herself and her two children) over the course of the previous year and *nothing* had been done to redress that. Earth First! had gone to great pains to adhere to strict nonviolence guidelines which had only been met with sneering disdain by its enemies, fake press releases (which later were revealed to be the work of pro corporate timber vigilantes), and death threats.²⁶ In spite of this, Liz Henry requested that Redwood Summer be scaled back.²⁷

Bruce Anderson, commenting on the meeting himself, likened de Vall and Henry to similar "responsible" liberals who had acted similarly in the past, opining:

²⁰ "Mississippi Summer", by Rob Anderson, *Anderson Valley Advertiser*, May 2, 1990.

²¹ "Redwood Wars Ready to Escalate: Coast Braces for Influx of Protesters", by Mike Geniella, *Santa Rosa Press Democrat*, March 25, 1990.

²² Michaud, May 2, 1990, op. cit.

²³ "Planned Summer Protests Draw Fire", by Mike Geniella, *Santa Rosa Press Democrat*, May 2, 1990.

²⁴ Michaud, May 2, 1990, op. cit.

²⁵ "Strident Discord Over 'Mississippi Summer' Plan", by Tom Fristoe, *Mendocino County Observer*, May 3, 1990.

²⁶ Rob Anderson, May 2, 1990, op. cit.

²⁷ Geniella, May 2, 1990, op. cit.

“You’ve probably noted by now the similarities between Mississippi Summer in the California redwoods and the original Mississippi Summer. The first Mississippi Summer was a voter registration effort in the South by roughly a thousand persons, mostly college students. Then as now, the pseudo liberals (Liz Henry, Norman de Vall, Gail Lucas type) opposed Mississippi Summer on the grounds the demonstrations would provoke a violent response. Let criminals triumph rather than confront them, in other words. Then as now, the corporate newspapers denounced the effort as the work of free-floating ‘outside agitators’, maybe even communists, *as if there were no real issues involved*.”²⁸

Bari reiterated that Earth First! was not responsible for the County’s budgetary woes and attempted to rightfully place the blame at the foot of corporations such as L-P. While she was in the process of discussing the real issues, such as Corporate Timber’s 225 percent overcutting, the mill closures, the spotted owl, and pollution of the water, Supervisor Nelson Redding interrupted her asking “to hear from someone else.”

Almost as if on cue, the gyppos keyed up the Corporate Timber scripted rhetoric against organizers of Redwood Summer. Top Loop (decked out in logging apparel, including his hardhat) declared, “As a woodsman I feel that *we* are becoming the endangered species. What a pathetic situation. A logger is going to have to spend half his time making a living and the other half defending his right to continue to make a living if this Mississippi Summer is pulled off.”²⁹ He then compared the supervisors to Neville Chamberlain, accusing them of appeasing Earth First!ers, and then went on to accuse Earth First! of being like the Nazis, Attila the Hun, and the Ku Klux Klan, a supremely ironic statement given the actual circumstances.³⁰

“Satan!” retorted an unfazed and defiant Judi Bari, “You forgot Satan!”, which made the small group of Earth First! allies laugh in the face of the hostile crowd.³¹

The next speaker, Maribelle Anderson, wife of Gyppo logging contractor Mike Anderson told the supervisors, “Even if it’s nonviolent, even if the roads are blocked, that will threaten our livelihood.”³² She further relayed, “I’m trying to stay calm...logging is my life and I hope it will be my future,” that, “Earth First! was not interested in the livelihood of the timber workers” and that, “Decent people would call [Redwood Summer] off”.³³

²⁸ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, May 9, 1990. Emphasis added.

²⁹ “Who Bombed Judi Bari”, film by Darryl Cherney and Mary Liz Thompson, 2012.

³⁰ “Loggers Call on Supervisors to Oppose Mississippi Summer”, by Kevin Murphy, *North Coast News*, May 3, 1990.

³¹ “Humor, Songs Were Weapons”, by Linda Goldston, *San Jose Mercury News*, May 26, 1990.

³² Michaud, May 2, 1990, op. cit.

³³ Rob Anderson, May 2, 1990, op. cit.

She was followed by Comptche Gyppo owner Jerry Philbrick, who went as far as making veiled threats in his address to the board, proclaiming:

“If Earth First! wants to demonstrate, more power to ‘em, but the first guy that comes on my property and damages a piece of our equipment or my employees, the shit’s going to hit the fan. I’m sorry to say that, but I mean it.”³⁴

“We didn’t start this thing...We’re not out there looking for Earth First!ers yet...We’ll use whatever force is necessary.”³⁵

At this point, Judi Bari again spoke up, trying once again to illustrate that those on the receiving end of the violent rhetoric and actual threats were the activists and not the representatives of Corporate Timber, specifically citing the “implicit violence” in Philbrick’s statement. Then, (in the words of Robert Anderson):

“...unintimidated by either the presence of blustering, macho (gyppo) logger (owners) or the presence of Sheriff Tim Shea in the seat next to her—making her case for the Mississippi Summer in the Redwoods in a voice that, shall we say, needed no amplification. Bari maintained, as Earth First! has all along, that they’re planning nothing but nonviolent protests to slow down the industry’s 225 percent over-cut, but that the timber industry is behind a campaign of misinformation which is stirring up hatred and violence toward Earth First! Bari displayed a copy of a forged inflammatory Earth First! press release, which has been distributed at mills and in logging towns. She showed the Board a copy of a death threat she received. She also displayed an aerial photo of the Skunk Train line, showing a narrow band of trees on each side of the track, which gives passengers the impression they’re traveling through a forest. Bari pointed out that the corporations are destroying the forests and future timber jobs along with it.”³⁶

Bari attempted to draw attention to the hate campaign orchestrated by Stone and the death threats she and others had received and the county’s law enforcement had rudely ignored.³⁷ She made special mention of the example with her picture, taken at a previous supervisors’ meeting with the rifle scope superimposed over her image.³⁸ She pointed out that she was not accusing anyone, but noted that it could have been produced by any of the gyppo operators present.³⁹ When Bari referred to Stone’s radio

³⁴ Murphy, May 3, 1990, op. cit.

³⁵ Rob Anderson, May 2, 1990, op. cit.

³⁶ Rob Anderson, May 2, 1990, op. cit.

³⁷ Rob Anderson, May 2, 1990, op. cit.

³⁸ Fristoe, May 3, 1990, op. cit.

³⁹ Michaud, May 2, 1990, op. cit.

program as “Radio K-KKK” for inciting lynch-mob hysteria against herself and other organizers of Redwood Summer, supervisor Marilyn Butcher interrupted her grumbling, “You brought it on yourself, Judi,”⁴⁰

Bari quickly retorted, “Well L-P and G-P brought (Redwood Summer) on *themselves*.”⁴¹

“Judi either you shut up or I’m leaving,” responded Butcher angrily.⁴²

At this point, Sheriff Tim Shea declared, “I have better things to do⁴³; I can’t sit here all day” before he stood up and stormed out of the chamber. “Good Riddance” grumbled another Earth First!er in the crowd⁴⁴, while Butcher, paced angrily around the dais like a caged tiger.⁴⁵

Shea returned long enough to issue a prepared statement about his department’s preparations for redwood summer, including the possibility that they might call “for outside assistance.”⁴⁶ In a strange but true moment seemingly out of a Hollywood farce, and definitely symbolic of the absurd Alice In Wonderland like quality of the Supervisor’s meeting, Sheriff Shea had to have his statement read by the County Clerk as the county’s top law enforcement official had neglected to bring along his reading glasses.⁴⁷ The statement included a demand that the organizers of Redwood Summer announce each of their demonstrations in advance to the police.⁴⁸ Judi Bari responded by pointing out that this would make effective demonstrations impossible and that the police should instead refocus their efforts on their adversaries’ violence.⁴⁹ Shea meekly responded that he had also warned local logging contractors against using vigilante justice against demonstrators, a fairly ineffectual gesture given the situation.⁵⁰

Rather than acknowledge Bari, the four supervisors present responded with stone-faced silence.⁵¹ L-P spokesman Jack Sweeley however—who had also attended the

⁴⁰ Bari, January 2, 1991, op. cit.

⁴¹ Bari, May 29, 1991, op. cit.

⁴² Fristoe, May 3, 1990, op. cit.

⁴³ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, May 9, 1990

⁴⁴ Rob Anderson, May 2, 1990, op. cit.

⁴⁵ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, May 9, 1990

⁴⁶ Reprinted in “Law Enforcement’s Policy During Redwood Summer”, community forum by Sheriff Tim Shea, et. al., *Mendocino Beacon*, May 3, 1990.

⁴⁷ Rob Anderson, May 2, 1990, op. cit.

⁴⁸ “Loggers Told to Keep Their Cool in ‘Mississippi Summer’: Contractors Feel Caught in Middle”, by Keith Michaud, *Ukiah Daily Journal*, April 30, 1990; and “Sheriff’s Sergeants Tell Logger Group to Stay Calm”, by Keith Michaud, *Mendocino Beacon*, May 3, 1990.

⁴⁹ “Judi Bari Responds”, Judi Bari interviewed by Lynne Dahl, *Anderson Valley Advertiser*, May 16, 1990.

⁵⁰ “Loggers Told to Keep Their Cool in ‘Mississippi Summer’: Contractors Feel Caught in Middle”, by Keith Michaud, *Ukiah Daily Journal*, April 30, 1990; and “Sheriff’s Sergeants Tell Logger Group to Stay Calm”, by Keith Michaud, *Mendocino Beacon*, May 3, 1990.

⁵¹ Rob Anderson, May 2, 1990, op. cit.

meeting—spoke up for Corporate Timber and argued as if the interests of the gyppos were the same as L-P's and had the further temerity to accuse the supervisors of disrespecting *them*.

* * * * *

It didn't take long for Sheriff Shea to reveal what the "better things (he had) to do" were. Rather than investigate the death threats received by Bari and her comrades, he instead spent the next several weeks obsessing over the legal limits to picket sign handle size. The Sheriff—not once, not twice, but *three* times—attempted to introduce a resolution before the Board of Supervisors limiting the size of picket sign handles (sometimes used by demonstrators in mass protests) to $\frac{1}{4}$ inch. Coined the "Stupid Sign Ordinance" by *Anderson Valley Advertiser* commentator Robert Anderson, this was clearly an attempt to hamstring Redwood Summer.⁵² Judi Bari pointed out that $\frac{1}{4}$ inch pieces of wood would be useless for the purposes of holding up signs and impossible to find, and noted that Shea argued as evidence in favor of his proposed "Urgency Ordinance" an example of a student organized pro-Palestinian demonstration held in Beverly Hills ten years previously. That Earth First! had never used picket sign handles as weapons was a fact Shea conveniently omitted.⁵³ The supervisors rejected the ordinance each time, but it was not as courageous an act on their part as it might have seemed at first glance. To pass the emergency ordinance, a four-vote majority would be required, and Jim Eddie was unavailable each time due to illness. The only supervisor willing to vote against the measure each time was Norm de Vall, but it was enough to defeat the ordinance.

* * * * *

The local politicians and right wing radio "shock jocks", such as Stone, were bad enough. Self-described "progressive" radio host Ed Kowas who hosted a call-in talk show with his life partner, Andre Conners on KMFB in Fort Bragg inadvertently contributed to the hysteria himself. Conners, an Earth First!er who described herself as "a west coast hippie", supported Redwood Summer. Meanwhile, Kowas, a lawyer from the Midwest who had witnessed violence over the Civil Rights demonstrations in South

⁵² "Protest Sign Handle Limits Considered: Fear of Violence Cited", by Keith Michaud, *Ukiah Daily Journal*, May 7, 1990; "Protest Ordinance Appears Doomed", by Mike Geniella, *Santa Rosa Press Democrat*, May 8, 1990; "Sign Handle Ordinance Pulled From Agenda: Redwood Summer County Policy Statement Approved", by Keith Michaud, *Ukiah Daily Journal*, May 8, 1990; "Supervisors Try to Get a Handle on Ordinance", by Keith Michaud *Ukiah Daily Journal*, May 16, 1990; "Board Votes to Restrict Use of Sticks in Protest", *North Coast News*, May 17, 1990; "Supervisors Losing Grip on 'Handles'", by Keith Michaud, *Ukiah Daily Journal*, May 23, 1990; "Redwood Summer Sign Size Debate", by Les and Genny Nuckolls, *Willits News*, May 25, 1990; "One More Chance for Sign Ordinance", by Keith Michaud, *Ukiah Daily Journal*, June 6, 1990; "Ordinance to Limit Sign Handles Defeated", by Les and Genny Nuckolls, *Willits News*, June 8, 1990; "Proposed Sign Handle Ordinance Pulled Again", by Keith Michaud, *Ukiah Daily Journal*, June 14, 1990; and "Sheriff Withdraws Sign Handle Ordinance", by Les and Genny Nuckolls, *Willits News*, June 15, 1990.

⁵³ "Judi Bari Responds", Judi Bari interviewed by Lynne Dahl, *Anderson Valley Advertiser*, May 16, 1990.

Bend Indiana in 1967 and 1968 feared that Redwood Summer would lead to violence (on the part of loggers) and “give the North Coast a ‘Belfast’ reputation.”⁵⁴ Initially Kowas proposed that all Redwood Summer demonstrations take at least 50-100 feet away from any logging operations. Judi Bari was quick to point out that while most planned Redwood Summer actions would indeed coincidentally follow these guidelines, due to the nature of the protests, a handful, such as tree-sits, would necessarily take place within a shorter range.⁵⁵

Connors and Kowas did allow Bari to call in regularly each day and give updates, though on May 10, Bari was preempted when Jerry Philbrick called in to offer his perspective.⁵⁶ Kowas felt that both sides were “sounding more and more radical,” so he announced on air that he would be quitting his show, and possibly staying away for as much as six months.⁵⁷ Connors publically disagreed with him on the air and this created a media circus in its own right. Kowas eventually relented and returned to the air a month later⁵⁸, but in the meantime, the corporate media used this rather small incident to further fan the flames of divisiveness.⁵⁹ Kowas needn’t have acted so rashly, because, by many estimates, people from all sides by as much as 75% margin favored Kowas and Connors remaining on the air. The crux of the problem wasn’t that the organizers of Redwood Summer were *provoking* violence, but rather they were exposing *already existing* violence; Connors herself pointed out that the logging issue had been creating tensions now for over two decades.⁶⁰

The politicians were no better than the media. They, too, continually blamed the Redwood Summer organizers for “polarizing the community”, when clearly it was Corporate Timber and its front groups that was doing this. The politicians, for the most part, jumped on the “blame the messenger” bandwagon, because 1990 was an election year, and a good deal of their campaign contributions came from the timber industry. For example, Republican congressional candidate Tim Stoen, like Ed Kowas and Liz Henry, had suggested much less militant demonstrations, a proposal that Bari denounced as “irresponsible”, given the fact that less militant tactics hadn’t worked. Peace and Freedom candidate Darlene Comingore echoed Bari’s sentiment on the mat-

⁵⁴ “Radio Host Hangs Up on Redwood Summer”, by Judy Nichols, *North Coast News*, May 17, 1990.

⁵⁵ Bari, May 16, 1990, op. cit.

⁵⁶ “Mendocino Undertow”, by Nancy Barth, *North Coast News*, June 6, 1990. Barth called Philbrick “surprisingly articulate”, which doesn’t match Robert Anderson’s earlier description of the gyppo owner. Barth spared no opportunity to denigrate Earth First!, but to be fair, Philbrick and Bari eventually became good friends even though they didn’t always see eye to eye.

⁵⁷ “Radio Host Hangs Up on Redwood Summer”, by Judy Nichols, *North Coast News*, May 17, 1990.

⁵⁸ “Kowas Resumes radio Talk Show”, staff report, *North Coast News*, June 7, 1990.

⁵⁹ “Radio Host Ends Talk Show, Cites Fear of Contributing to Violent Summer Protest”, by Will Behr, *Mendocino Beacon*, May 17, 1990, and “Summer Tensions Kill Radio Talk Show”, *Santa Rosa Press Democrat*, May 22, 1990.

⁶⁰ Nichols, May 17, 1990, op. cit.

ter.⁶¹ Lionel Gambill was somewhat more cautious, but nevertheless announced his support for the summer of protests as well. Both Republican Frank Riggs and incumbent Democrat Doug Bosco, of course, opposed it. Judi Bari pointed out that she expected most politicians to oppose Redwood Summer, because “if they’d been doing their jobs, this wouldn’t be necessary.”⁶²

* * * * *

Indeed, whenever somebody did *try* to do their job, it was usually the result of pressure from Earth First! and other radicals that made this possible. On May 14, 1990, Mendocino County’s Forest Advisory Committee, by a vote of 11 to 6, resolved to send a series of emergency recommendations to the Board of Supervisors.⁶³ The FAC was an idea conceived of by Hans Burkhardt (among others) who was one of the first Mendocino County resident to identify the problems associated with the depletion of local timberlands. Burkhardt and others approached the County Supervisors with the idea of establishing the committee, and the latter agreed, most likely because they saw it as a way to pass the buck. Evidently they had never expected the FAC to actually function. The persistent attendance and advocacy of local residents, such as Naomi Wagner and David Drell, helped push the FAC to take such a proactive stance. Said Wagner:

“(W)e started to participate in the public comment periods, to start to define the issues ourselves, to say, ‘Here’s what we think and feel,’ and that did start to really become a part of the process.

“At a certain point, it seemed that the integrity of some of the environmental people on the committee was being called into doubt by the way the other members were relating. They were resorting to all kinds of silly arguments—Don Nelson will hate the word ‘silly’—but they were just resorting to subterfuge, and blocking, and stalling any discussion of the real issues.

“So we said, ‘Look, we don’t want to see you hard-working environmentalists treated this way, and if you don’t feel you can introduce a motion to reduce the cut, then we’re going to.’

“As it turned out, they had already been considering that, and I think that just in the same way Fish & Game and Water Quality Control need public input and pressure to give them the support to make their non-concurrences

⁶¹ “Stoen Wants Cooler ‘Summer’ Protests: Activist Calls Plan Irresponsible”, by Keith Michaud, *Ukiah Daily Journal*, May 11, 1990.

⁶² “Candidates Debate ‘Mississippi Summer’: Cost, Violence Worry Congressional Hopefuls”, by Steve Hart, *Santa Rosa Press Democrat*, May 12, 1990.

⁶³ “Controversy Continues Over Forest Advisory Motion”, by Lillian Brown, *Willits News*, June 13, 1990.

and to stand up to CDF, the Forest Advisory Committee needed that input from the public.”⁶⁴

Included in the recommendations was a five-point proposal developed by a rancher named Richard Wilson (which had been slightly amended by an economics subcommittee) calling for (1) a substantial reduction in corporate timber harvests down to levels equaling growth, to be phased in over the next five years; (2) assessing a special “resource depletion fee” equaling 20 percent of the stumpage value on any timber harvested in excess of that; (3) the fees would contribute to a fund to ease the economic dislocation experienced by timber workers as a result of the proposed reduction and/or to enhance the productivity of the county’s forest lands; (4) a halt to any further conversion of timber production land to other uses, including deed restrictions “to provide for timber-production in perpetuity” on any unmerged parcels held in timber production zoning; and (5) that the County’s “industrial land owners” (namely timber corporations like G-P and L-P) would be required to provide the County Assessor’s Office and the CDF with figures for timber inventory and growth (this was unprecedented, since normally such information was proprietary and jealously guarded by the timber corporations). Said fees would be used confidentially to calculate the allowable harvest rate before additional fees were assessed.⁶⁵

The FAC was by no means unanimous in its decision. G-P’s resource manager, Ted Deer, declared the provision calling for an inventory request “illegal” (presumably because the land was “private property” and environmental interconnectedness be damned). Following the course set by Bosco, Hauser, Keene, Hurwitz, and Merlo, Deer promised that G-P would “voluntarily” slow its harvest over the coming decade, but of course offered no enforcement mechanism. Don Nelson proposed an amendment that would have held all but the provision on timberland conversion until further study on the details on the economic mitigations could be carried out, but it was defeated by a vote of 9-6, with two abstentions. In disgust, Nelson argued that the proposed recommendations didn’t “really deal with the workers.” However, Walter Smith spoke in favor of the proposal in his capacity as a timber worker, thus debunking Nelson’s claim. Committee chair Wayne Miller, who owned forest lands north and east of Fort Bragg and was a reliable supporter of Corporate Timber, opposed the recommendations, but Henry Gundling, who also owned timber lands in the County voted to approve the measure. G-P spokesman Allan Oberkfeld and L-P spokesman Jack Sweeley opposed the measure⁶⁶, but Chuck McFadden and John Teie, representatives of the CDF and USFS, favored it.⁶⁷

⁶⁴ Bosk, August 1990, op. cit.

⁶⁵ “Forest Panel Urges Harvest Reductions: Emergency Measures Prepared for Supervisors”, by Kevin Murphy, *North Coast News*, May 17, 1990.

⁶⁶ Murphy, May 17, 1990, op. cit.

⁶⁷ “Controversy Continues Over Forest Advisory Motion”, by Lillian Brown, *Willits News*, June 13, 1990.

Overall, the supporters of forestry reform regarded the vote as a positive development. Long time forest activist Meca Wawona urged the committee to pass the proposal, even though, in her opinion, the plan didn't go far enough, though she was pleased that it passed. "The public is sending a message to the Board of Forestry that they want to see an end to over-cutting, and I think we took a first step toward that today."⁶⁸ Walter Smith called the vote a "strong consensus" which crossed the perceived "timber – environmentalist" divide. Smith declared, "If it wasn't unanimous, it was 65 percent in favor and that is certainly a mandate."⁶⁹ Don Nelson, however, waxed as negatively as ever.

In a hysterical letter written to just about every publication in both Humboldt and Mendocino Counties, Nelson, channeling TEAM and WECARE, predicted economic Armageddon. As he had with his public opposition to *Forest Forever*, Nelson either plucked estimates and figures out of thin air and swallowed corporate timber rhetoric whole, claiming that the proposed recommendations would result in the loss of 800 direct jobs and 1600 peripheral jobs over the coming five years, costing workers a collective total reduction in wages exceeding \$166,000,000.⁷⁰ There was absolutely no way Nelson could have conducted an independent scientific study to prove this on his own, any more than he could have done so in response to *Forests Forever*. Walter Smith pointed out that even if Nelson's figures were accurate by sheer dumb luck, the eventual results of the status quo would turn out far worse by all reputable accounts, and in any case, by now anyone with command of the facts could easily expose Nelson's supposed defense of timber workers as empty rhetoric.⁷¹ Not content with inventing facts and figures, Nelson further stoked the potential fires of the vigilante mobs by stating, "Environmentalists-Preservations, of whatever stripe, are our enemies. They are out to get us. When the fight comes on the initiatives in November, there may be no middle ground. It will be us against them and if we lose, we are gone."⁷² He went on to suggest that the workers should look to the corporations to help them in saving their jobs!⁷³

Rather than engage in divisiveness or polarizing rhetoric, the supporters of Redwood Summer continued to urge the opposite. *Country Activist* Co-editor Bob Martel, himself a former machine shop worker, rebutted Nelson offering several proposals on how timber workers and environmental activists could work together to forge viable alternatives in the wake of the FAC's recommendations, including such ideas as:

⁶⁸ Murphy, May 17, 1990, op. cit.

⁶⁹ Brown, June 13, 1990, op. cit.

⁷⁰ Letter to the editor by Don Nelson, sent to various publications including, *Mendocino Beacon*, May 24, 1990 ("Nelson on Supes Timber Policy"); *Ukiah Daily Journal*, May 31, 1990 (no title); *Country Activist*, June 1990 ("Treat Us with Respect"); *Anderson Valley Advertiser*, June 6, 1990 ("More Hysteria from the Company Gal"); and *North Coast News*, June 7, 1990.

⁷¹ Brown, June 13, 1990, op. cit.

⁷² Brown, June 13, 1990, op. cit.

⁷³ "Nonviolence is Our Answer", by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

“Democratization of workplace management; diversification of product lines; exportation of finished products only; institution of incentive/disincentive for above; developing worker training/retraining programs; developing an education/social service program serving all; and establishing a community development credit union with an entrepreneurial development program.”⁷⁴

Nelson had no response. Clearly, the “bonafide” labor representative was not at all interested in dialog, despite his many letters suggesting *that* instead of protests. Bill Evans was less charitable in his condemnation of Don Nelson, stating:

Don Nelson and those under his sway should get a grip on themselves. Their present conduct makes them a threat to public order and safety. They may not want to believe the environmental situation but yelling fire in a crowded theatre only fuels what already is a tense situation. We don’t want another Kent State.⁷⁵

Walter Smith further contradicted Nelson’s rhetoric, further demonstrating that the alleged union leader’s claim to speak for timber workers was anything *but* bonafide:

Automation has made (timber) mills far more efficient and growth can’t possibly keep up what can be cut...Nelson should be negotiating with G-P about early retirements and preparing his (rank and file union members) for what is going to happen here. A lot of mills have closed and more are going to close.”⁷⁶

As if that weren’t enough, Don Nelson’s own *son*, Crawdad, had offered to conduct trainings for Redwood Summer activists on how to hold a dialog with timber workers as part of the nonviolence trainings.⁷⁷ In spite of all of these developments, Earth First! and its allies continued to be accused of “polarizing” the community.

* * * * *

The Corporate Media conducted its share of polarization by blurring the line between actual rank and file timber workers and gyppo owners—often identifying the latter as “loggers”, whether or not they ever put their hands on logging equipment, and many of them did not. Although these distinctions were quite familiar to those who lived in timber dependent communities, they were not understood by the layperson outside of the region. Rarely did any reporter attempt to illustrate just how diverse

⁷⁴ “Let’s Bridge the Gap”, by Bob Martel, *Country Activist*, June 1990.

⁷⁵ “Maintain Order”, letter to the editor by Bill Evans, *Willits News*, May 9, 1990.

⁷⁶ Brown, June 13, 1990, op. cit.

⁷⁷ “Some People Just Don’t Get It”, Judi Bari interviewed by Bruce Anderson, *Anderson Valley Advertiser*, June 13, 1990.

the opinions of actual timber workers were. The lone exception was *Santa Rosa Press Democrat* timber reporter and Ukiah bureau chief Mike Geniella.

Geniella produced an extensive two part investigative expose called “Revolution in the Redwoods” which ran in the May 6 and 7, 1990 editions of the Redwood Empire’s most prominent daily periodical. Hardly monolithic, the timber workers’ (and gyppos) opinions were varied, nuanced, and highly critical of corporate timber, regardless what their stances were on *Forests Forever* or Earth First!. The first day’s articles focused primarily on workers in Humboldt County. Geniella gave extensive coverage to actual current P-L workers, including Johnny Jeffers and Jay Thornsberry, who—though they were harshly critical of Earth First! (or at least their view of Earth First! which was wildly exaggerated by corporate propaganda)—openly denounced Charles Hurwitz.⁷⁸ Geniella also reported on the efforts of current and retired P-L workers Kelly Bettiga, Pete Kayes, John Maurer, and Lester Reynolds, who were more receptive to Earth First! (and the IWW) and their efforts to organize an alternative to Maxxam’s ownership.⁷⁹ This was counterbalanced by predictably pro-Hurwitz and pro-Corporate Timber arguments offered by TEAM’s Ralph Lee.⁸⁰ Mike Anderson was also featured, but even he admitted that Redwood Summer and Forests Forever had already been a positive development (though not perhaps as their organizers had intended), because it had “smacked a mule of an industry right between the eyes.”⁸¹

The second series of articles focused primarily on the workers in Mendocino County and were no less varied and nuanced. One article extensively covered the debate and discussion over *Forests Forever* as well as the Mendocino County Forest Advisory Committee’s proposed recommendations.⁸² Another offered historical perspective and painful reminders that liquidation logging had already eliminated many of the giant redwoods from Mendocino County as early as a century earlier.⁸³ L-P Millworker Joe Neal and his wife, Laurie, expressed opposition to *Forests Forever*, but agreed that the ballot initiative was a direct result of the corporation’s greed and overcutting.⁸⁴ Philo gyppo logger Larry Burch echoed that sentiment and cited L-P’s greed and

⁷⁸ “Timber Workers Feeling Trapped”, by Mike Geniella, part of “Revolution in the Redwoods, Part 1”, *Santa Rosa Press Democrat*, May 6, 1990.

⁷⁹ “Millworkers Challenge the Boss: Group Wants Company Taken from Hurwitz”, by Mike Geniella, part of “Revolution in the Redwoods, Part 1”, *Santa Rosa Press Democrat*, May 6, 1990.

⁸⁰ “Working to Preserve Jobs”, by Mike Geniella, part of “Revolution in the Redwoods, Part 1”, *Santa Rosa Press Democrat*, May 6, 1990.

⁸¹ “Logger Says the Industry Needs a Wake-up Call”, by Mike Geniella, part of “Revolution in the Redwoods, Part 1”, *Santa Rosa Press Democrat*, May 6, 1990.

⁸² “Workers, Communities Await Outcome of Reform Movement”, by Mike Geniella, part of “Revolution in the Redwoods, Part 2”, *Santa Rosa Press Democrat*, May 7, 1990.

⁸³ “Leon Burgess Recalls Era of Redwood Giants”, by Mike Geniella, part of “Revolution in the Redwoods, Part 2”, *Santa Rosa Press Democrat*, May 7, 1990.

⁸⁴ “Neal Family Feels the Fire: ‘American Dream’ May Turn to Harsh Reality”, by Mike Geniella, part of “Revolution in the Redwoods, Part 2”, *Santa Rosa Press Democrat*, May 7, 1990.

destructiveness as his reason for breaking away.⁸⁵ Geniella also gave space to Walter Smith to express his outspokenness on the issue.⁸⁶

Smith, unlike the media stereotype of timber workers, expressed opinions on environmentalists that was quite different than the standard dismissal of the latter as “unwashed out-of-town-jobless-hippies-on-drugs.” Indeed, his perspective was entirely class conscious:

“I feel akin to a lot of environmentalists, but I don’t feel akin, for example, to the lawyers who run the National Resources Defense Council. I don’t feel close to the Sierra Club, but I feel close to some of the individuals who are trying to make changes. I (agree with) Anna Marie Stenberg and Roanne Withers, for example, about turning the woods back over to the communities and the workers.”⁸⁷

At least one reader (Mary Ann Tavasci) spoke favorably of the series but pondered whether negligence by OSHA, collaborationism by the timber workers’ unions, or corporate takeovers by the likes of Charles Hurwitz should have received more coverage.⁸⁸

Credit for the growing attention to the actual perspectives of the timber workers, rather than the stereotypical “Once-ler” image was largely due to the effectiveness of Judi Bari as an organizer. Whatever opinion one had about Judi Bari, it was quite clear that she was extremely effective at undermining the Corporate Timber stranglehold on the North Coast. As *Anderson Valley Advertiser* editor Bruce Anderson described her in direct reference to her challenging the Mendocino County Board of Supervisors:

“Bari, if you’ve never had the pleasure of seeing her in action, is a brilliant public speaker. She gets it out there loud, clear, and fast without becoming rattled or otherwise distracted when the inevitable counterattack begins. She’s the most effective radical activist the AVA has ever seen, and we’ve seen a few...”⁸⁹

Several locals debated over whether or not Judi Bari should receive so much coverage.⁹⁰ Given the amount of coverage given to her opponents and the constant barrage

⁸⁵ “Timber Crew Goes for Selective Cuts”, *Santa Rosa Press Democrat*, May 7, 1990.

⁸⁶ “Mexico ‘Last Straw’ for a Timber Reformer: Logger Critical of Timber Firms”, by Mike Geniella, part of “Revolution in the Redwoods, Part 2”, *Santa Rosa Press Democrat*, May 7, 1990.

⁸⁷ “A Logger Speaks Out – An Interview with Walter Smith”, by Bruce Anderson, *Anderson Valley Advertiser*, July 4, 1990.

⁸⁸ “Redwood Revolution”, letter to the editor by Mary Ann Tavasci, *Santa Rosa Press Democrat*, May 27, 1990.

⁸⁹ “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, May 9, 1990.

⁹⁰ See for example, “Fed Up With Bari”, letter to the editor by Karl Niemeyer, *Santa Rosa Press Democrat*, May 4, 1990 and (in response) “Applauds Bari”, letter to the editor by Barry Lantham-Ponneck, *Santa Rosa Press Democrat*, May 11, 1990, and also, “Thank Activists”, letter to the editor by Muriel Woodruff, *Santa Rosa Press Democrat*, May 22, 1990.

of misinformation about Earth First!, it was amazing that she received any attention (other than critical) at all, though clearly she had emerged as the focal point of the coalescing populist upsurge against business as usual.⁹¹

Indeed, Bari's leadership had been so effective, that Earth First! – IWW Local #1 had managed to convince Art Harwood to organize many of Mendocino County's gyppo operators to negotiate with their adversaries on their *own* terms rather than those of the County Supervisors (the Humboldt County gyppos were still very much under the influence of TEAM and WECARE by contrast). Bari and Harwood had already established a dialog following the Lorax controversy. Following the contentious Board of Supervisors' meeting, Judi Bari as well as Naomi Wagner immediately attempted to hold a dialog with some of the gyppos and their spouses.⁹² Naomi Wagner relayed the sense that even the gyppos knew they were being manipulated by Corporate Timber's divide and conquer tactics:

"Things definitely were quite melodramatic, and I thought, very childish. I thought, *this is absurd. Why can't we talk about this? Why do we have to behave like kids fighting?* It occurred to me that we were being set-up by the corporations, that this is exactly what they want, for the local people to be fighting each other while they walk off laughing to the bank.

"I got up and made some remarks. I said, 'This is 'let's you and him fight.' And I said that I don't want to be pitted against the local timber workers or LTOs, and I don't want them to be pitted against us, and that I would resist that definition that we were enemies. I refused to buy into that.

"At the end of the meeting, a lot of the tension seemed to be defused—people had vented, and I thought that was healthy. So when the meeting was adjourned, we all made a bee-line for our counterparts and started talking. And Judi was talking with a logger's wife, and I was talking with an LTO and I said, 'Look, why don't we get together and talk?'

"It turned out that at the same time, practically simultaneously, Art Harwood had called (Bill Bailey) and suggested they reopen some kind of discussion along the lines of the talks they'd had around the Lorax issue. It all fell into place. Art Harwood graciously made the facilities available, hired a facilitator, and we started having talks."⁹³

Harwood appealed to many gyppo loggers, truckers, and related business owners, including Bill and Judith Bailey, Wayne Hiatt, Tom Loop, Rich Padula (of R & J Logging), Robert "Mancher" Pardini, James Smith (of S & W Logging), and even Jerry Philbrick to meet with a coalition of Redwood Summer organizers. The latter was led

⁹¹ "Bari Reflects on Activist Past", by Keith Michaud, *Ukiah Daily Journal*, May 21, 1990.

⁹² Bari, May 16, 1990, op. cit.

⁹³ Bosk, August 1990, op. cit.

by Bari and Wagner and also included Betty and Gary Ball, Rick Cloninger, Pam Davis, Bill Evans, Anna Marie Stenberg, Steve Day of Eel River Habitat Conservation Planning, and John Welch of the Cahto Wilderness Coalition. As Judi Bari described the meetings:

“What we’re doing is negotiating with a mediator. The rule is no press and no publicity as to what the content of the meetings are, so in a protected atmosphere we can talk and yell at each other and establish what we have in common. We did this with the Harwoods during the Lorax controversy and actually succeeded in calming down a real tough situation.”⁹⁴

Another rule that was established from the beginning is that no corporate spokespeople, such as L-P’s Shep Tucker would be involved.

The first meeting was deemed a success and plans were established to hold meetings every two weeks throughout Redwood Summer. One of the first and most important accords they reached stipulated that all forms of monkeywrenching—not just tree spiking—would be forbidden during Redwood Summer. This made sense, because the gyppos owned their own equipment (it wasn’t leased to them, except in the case of Okerstrom’s use of L-P’s feller-bunchers), and to sabotage it would have no economic impact on the corporations who were the actual problem. Another agreement they reached concerned Redwood Summer’s main actions. Four major demonstrations had been tentatively planned, three of which would target L-P, G-P, and Pacific Lumber, and one would target the US Forest Service. Their times and locations would be announced in advance within the North Coast and beyond. Smaller demonstrations would also take place during the summer. Some of these would be announced in advance, but others might not be. The gyppos were free, of course, to organize counterdemonstrations.⁹⁵ The significance of these summit meetings could not be minimized, and they further showed that the gyppos could be enticed to chart a course independent of Corporate Timber.

* * * * *

The Redwood Summer organizers’ commitment to nonviolence brought several other activists and groups into the fold. One of the most significant such groups was Seeds of Peace, which had formed in 1987 during the Great Peace March.⁹⁶ Seeds of Peace organizer Jim Squatter emphasized that it was the commitment to nonviolence that inspired his group to pledge its support.⁹⁷ Their endorsement was no small thing. Similar in many ways to the much more famous Food Not Bombs, the involvement of Seeds of Peace would provide much needed material support for the coming summer of

⁹⁴ Bari, May 16, 1990, op. cit.

⁹⁵ Bari, May 16, 1990, op. cit.

⁹⁶ “Berkeley Group to Aid ‘Redwood Summer’”, by Mike Geniella, *Santa Rosa Press Democrat*, May 17, 1990.

⁹⁷ “Rally for Nonviolent Summer, *Willits News*, May 23, 1990.

protests. They had a mobile food kitchen, capable of feeding hundreds of people, a water tank on trailer wheels, and a school bus converted into a mobile bunkhouse. They had committed to serving food and water to the Redwood Summer activists throughout the upcoming season, and they had already proven their capability the previous October during the Loma Prieta Earthquake.⁹⁸ Nevertheless, right wing fanatics, such as Tom Loop referred to Seeds of Peace as “another left wing pressure group”, as if sharing food freely somehow involved coercion.⁹⁹

In direct contrast to Loop, antiwar activist Brian Willson pledged *his* support for Redwood Summer. This was a powerful statement from a well respected new ally. Willson, a Vietnam veteran, had lost his legs three years previously when he had attempted to block a train carrying weapons from the Concord Naval Weapons facility. On May 17, Willson joined Bari, Cherney and about 100 demonstrators at a rally on the steps of the Mendocino County Courthouse in Ukiah to officially kickoff Redwood Summer.¹⁰⁰ “Nonviolence is not something that comes naturally to me,” declared Willson, “I’m a white male who grew up in the United States and I’m sick of violence. It takes a lot of courage to deal with hostility (by responding) with nonviolence...I’m an expert on violence, and I simply don’t agree with it anymore.”¹⁰¹ Willson continued:

“Nonviolence takes a lot of solidarity...It takes a lot of interaction, discussion and affinity. And it involves overcoming fear. Until you are tested by hostility, you really don’t know nonviolence.

“It is very important this summer that if any violence occurs that it be very, very obvious who is committing the brutality. It is very important that your behavior be impeccable, and that the revelation of who is committing the brutality be very clear to the larger public.

“Nonviolence is not any safer than violence. It provokes a lot of feeling. It brings to the surface the violence that’s already present in the culture, the attitudes and the patterns of society.

“But it is a powerful force precisely because it provides an alternative that transcends ideologies, conditions, and patterns that we have all been steeped in,”¹⁰²

⁹⁸ “Redwood Summer Base Camp Established”, by Richard Johnson, *Mendocino Country Environmentalist*, June 15, 1990

⁹⁹ “A Dangerous Crop”, letter to the editor by Tom Loop, *Santa Rosa Press Democrat*, June 4, 1990.

¹⁰⁰ “Redwood Summer’s Plea for Peace: Activist Extols Nonviolence”, by Mike Geniella, *Santa Rosa Press Democrat*, May 18, 1990; “Tempers Cool at Summer Protest”, by Keith Michaud, *Ukiah Daily Journal*, May 18, 1990; and “First Redwood Summer Protest Held in Ukiah”, by Keith Michaud, *Mendocino Beacon*, May 24, 1990.

¹⁰¹ “Rally for Nonviolent Summer, *Willits News*, May 23, 1990.

¹⁰² “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

Darryl Cherney displayed yet another death threat he'd received to the assembled crowd. He was followed by Darlene Comingore, who emphasized the connection between the struggle to preserve the environment and the struggle of organized labor and justice worldwide.¹⁰³

To the overwhelming approval of the crowd, Judi Bari elaborated on the issues that brought a sense of urgency to Redwood Summer:

"We're looking at a lot of craziness in Mendocino County lately, and it hasn't been coming from Earth First!. The local sheriff had been acting like Mississippi's Bull Connor and he has been supporting a county ordinance that requires picket sticks to be just $\frac{1}{4}$ inch in thickness. And while the county insists on measuring the width of our sticks, they are permitting the timber companies to log at full throttle...

"There's a lot more that we can do to save the old growth. We're not going to be stopped by trucking companies that run us off the road, by logging companies who break our noses, by district attorneys who won't prosecute, by cops who won't arrest, or by any of those kind of things...

"Legal means don't work when we have corporations that don't give a damn about the law. That's why we're calling on people to physically use non-violence to slow down logging operations in Mendocino, Humboldt, and Trinity Counties this year. That's the only chance that we're going to have to anything left to save.

"This summer, we're going to see the power of nonviolent resistance here. We don't accept their society, we don't accept their way of doing things, we don't accept their violence to the earth, and we're going to show them the power of nonviolence this summer. No more redwood destruction. Redwood Summer. Shut it down!"¹⁰⁴

The pledge of nonviolence, tree spiking renunciation, and meetings with the gyppos were obviously not enough to stave off the continued harassment by the Corporate Timber and its agents, however. Huge profits were at stake, and Redwood Summer challenged that. To emphasize the point, Mendocino County Sheriffs' deputies insisted on videotaping the Ukiah rally.¹⁰⁵ The Corporate Media's reporting had been sensationalist and seemed eager to stir up controversy for months now, and despite efforts to cool tensions (led largely by Earth First! and members of the IWW), the media's

¹⁰³ "Rally for Nonviolent Summer, *Willits News*, May 23, 1990.

¹⁰⁴ Johnson, May 29, 1990, op. cit.

¹⁰⁵ "Sheriff's Deputies Videotape Protest", by Lois O'Rourke, *Ukiah Daily Journal*, May 18, 1990 and *Mendocino Beacon*, May 24, 1990.

reporting remained unchanged in its tone.¹⁰⁶ As far as they were concerned, Redwood Summer would be a bloodbath. They were about to be proven right.

* * * * *

Redwood Summer was all set to begin on June 1, 1990, and momentum was accelerating daily. Earth First! – IWW Local #1 had planned one last organizing push before the summer began: an Earth First! style road show of northern California to various universities and colleges to drum up further support. On Tuesday, May 22, 1990, Judi Bari, Utah Phillips, and other Redwood Summer organizers held one last meeting with the coalition of gyppo loggers organized by Art Harwood. By all accounts the meeting went well. According to Judi Bari, she, Dakota Sid Clifford, Utah Phillips, and Joanna Robinson spent that night at Bari's home in Redwood Valley.¹⁰⁷ Meanwhile, at Stanford, Darryl Cherney—in the process of recruiting students for Redwood Summer—told a group of approximately 50 Stanford undergraduates that Redwood Summer would not be “a dinner party...The question is: are you prepared to meet violence with nonviolence?”¹⁰⁸

That same day, Pam Davis wrote to Bay Area IWW Secretary-Treasurer Jess Grant announcing her intentions to organize “Earth First! – IWW Local #2” in the Sonoma County area as part of the growing efforts to build Redwood Summer.¹⁰⁹

In Santa Cruz, California, Lisa Henry had mobilized local students for an organizing meeting at the university that would ultimately draw 150 participants.¹¹⁰ Already students and other activists were on their way to northwestern California and more were planning to come. On Wednesday, May 23, 1990, Judi Bari attended a press conference called by Mem Hill, at the activist's attorney's office, where the latter announced that she had filed a suit against Lancaster Logging and local authorities over the violent confrontation that took place at Whitethorn where her nose was broken.

¹⁰⁶ See, for example, “‘Mississippi Summer’ May Hit North Coast, Earth First! Primes for Massive Demonstrations in Tri-County Area: FBPD, County Sheriff's Office Prepare With Crowd Control Training”, by Brooks Mencher, *Mendocino Beacon*, March 29, 1990; “Lumber Showdown Feared This Summer”, by David Forster, *Eureka Times-Standard*, April 22, 1990; and “Tempers Could Flare as Summer of Protests Over Forests Heats Up: As Hundreds of Idealists, at the Invitation of Earth First!, Stream Toward the Redwood Empire to Non-violently Protest the Destruction of Old-Growth Timber, Loggers With Guns and Cops Braced for the Worst Await Them”, by Linda Goldston, *San Jose Mercury News*, May 20, 1990.

¹⁰⁷ Bruce Anderson, June 13, 1990, op. cit. Joanna Robinson and Utah Phillips were spouses. Bari, an ardent feminist to the core, half seriously referred to Utah Phillips as “Mr. Joanna Robinson” in response to Bruce Anderson asking if Robinson was “Mrs. Utah Phillips.”

¹⁰⁸ “Bomb Victim Warned Students of Protests: ‘This is Not Dinner Party’”, by Mike Geniella and Chris Coursey, *Santa Rosa Press Democrat*, May 25, 1990.

¹⁰⁹ Letter to Jess Grant, by Pam Davis, unpublished, courtesy of the Bay Area IWW archives, May 22, 1990. This local never formed, however IWW members and Earth First!ers from St. Louis did form Earth First! – IWW Local #2, centered around the campaign to save Shawnee National Forest, discussed later in this book.

¹¹⁰ “Lisa Henry on her 22nd Birthday”, Lisa Henry interviewed by Beth Bosk, *New Settler Interview*, January 1991

California State police and sheriff's deputies from both Humboldt and Mendocino Counties had refused to intervene, and Mendocino County D.A. Susan Massini had refused to prosecute.¹¹¹ Following that, Bari, Dakota Sid Clifford, Phillips, and Robinson left Mendocino County to attend a planning meeting at the Seeds of Peace house in Berkeley, California.¹¹²

On the eve of Redwood Summer, it had become apparent that Judi Bari had emerged as the principle organizer of the summer long campaigns. "'Judi Bari' doesn't even seem like my name anymore. Everything about me is so public," she stated.¹¹³ Even the death threats were no longer intimidating her as they once had.¹¹⁴ "They were scary at first, when there were two or three, but when you're on your 10th death threat, they lose their immediacy," she declared.¹¹⁵ Darryl Cherney was not as positive, publically expressing worry about the still escalating tensions on the North Coast, though he hoped the influx of "freedom riders" might help prevent violence.¹¹⁶

The meeting in Berkeley comprehensively dealt with the logistics and scope of Redwood Summer, including everything from establishing a basecamp in the forest, setting up nonviolence training centers, fundraising, networking with other organizations, food drives, and various actions. It was at this meeting that the four major actions planned for Redwood Summer were finalized. The primary actions would consist of (1) a blockade of the Louisiana-Pacific Export Dock at Samoa, to be held on June 20, 1990, which would include an IWW "community" picket line; union workers at the L-P plant would be urged not to cross it. Coincidentally this demonstration would also be close to the Simpson pulp mill; (2) a rally and march in Fort Bragg at the Georgia Pacific Mill to be held on July 21, 1990; (3) a week of action in Sequoia National Forest to be held August 27-30 to protest subservience to corporate timber practices by the US Forest Service and impending clearcuts of the giant Sequoias; and (4) a Labor Day action targeting Pacific Lumber. The specific time and details of this last action were still to be determined.¹¹⁷ The meeting was very long and concluded around 11 PM that night, but much had been accomplished.¹¹⁸

Everything seemed to be falling into place. Following the meeting, Utah Phillips and Joanna Robinson returned to their home in Nevada City, along with Dakota

¹¹¹ Johnson, May 29, 1990, op. cit.

¹¹² "Who Bombed Judi Bari?", Judi Bari interviewed by Beth Bosk, *New Settler Interview*, Issue #89, January 1995.

¹¹³ "Fear Beneath Euphoria of Imminent Battle", by Mike Geniella, *Santa Rosa Press Democrat*, May 25, 1990.

¹¹⁴ "Friends: 'No Way' Bari, Cherney Knew About Bomb", by Chris Coursey, *Santa Rosa Press Democrat*, May 26, 1990.

¹¹⁵ "Bari Had Started Laughing Off Death Threats", by Keith Michaud, *Ukiah Daily Journal*, May 25, 1990.

¹¹⁶ Linda Goldston, May 26, 1990, op. cit.

¹¹⁷ Letter to the IWW, by Utah Phillips, unpublished, courtesy of Allan Anger's personal archives, June 6, 1990.

¹¹⁸ Bosk, January 1995, op. cit.

Sid Clifford.¹¹⁹ Darryl Cherney was currently touring at all of the nearby universities and colleges, along with fellow Earth First! musician George Shook, to rally support for Redwood Summer, and also, according to Darryl Cherney, to take their minds off of the death threats and to distract from the frayed nerves resulting from the increasing pressures of organizing the campaign.¹²⁰ Bari was to appear at only two of these events and return home to Redwood Valley to continue organizing from there. Bari and Cherney's immediate next planned destination was Santa Cruz the following evening where they were to participate in a concert organized by Lisa Henry and Zack Stenz. Bari spent the night in Oakland in a spare room offered to her by Seeds of Peace organizer Dave Kemnitzer, because, according to Bari, "there were so many people sleeping on the floor of the Seeds of Peace (House)."¹²¹

Judi Bari got an early start on May 24, because she had a long day ahead of her. That morning Cherney was given a ride by Seeds of Peace organizer Shannon Mar—who was working on a grant proposal for Redwood Summer with him—to Kemnitzer's house in Oakland on Park Boulevard.¹²² The two ate breakfast with Bari and Kemnitzer and then worked on the grant.¹²³ Cherney and Bari then rehearsed songs because, according to Bari, she hadn't performed much with him since their breakup and she felt she was losing her ability to play. After rehearsing their second song, the two decided to return to the Seeds of Peace in Berkeley, to meet up with George Shook so the three could practice together.¹²⁴ Bari was not familiar with the geography of Oakland, so, on the spur of the moment, Mar offered to lead the way in her vehicle while Cherney rode with Bari while she followed.¹²⁵ They departed shortly before noon, with Kemnitzer following the first two cars in his own a few minutes later (after which he planned to proceed to work). Mar was a fast driver and Bari had difficulty keeping up. The time was approximately 11:53 AM. A couple of blocks from Kemnitzer's house, near the intersection of Park and MacArthur Boulevards, one block from the Interstate 580 freeway, Mar disappeared around a corner.¹²⁶ Every one of them would always remember what happened two minutes later.¹²⁷

¹¹⁹ Phillips, June 6, 1990, op. cit.

¹²⁰ "An Interview With Redwood Summer Strategist and EF! Musician Darryl Cherney", by Sharon Seidenstein, *Ecology Center Newsletter*, October 1990.

¹²¹ Bosk, January 1995, op. cit.

¹²² Bosk, January 1995, op. cit.

¹²³ Seidenstein, October 1990, op. cit.

¹²⁴ Bruce Anderson, June 13, 1990, op. cit.

¹²⁵ Bosk, January 1995, op. cit.

¹²⁶ "Possible Labor Connection to Earth First! Bombing: Incident May Have Been Effort to Disrupt Budding Logger & Environmentalist Alliance", by Michele DeRanleau, *San Francisco Weekly*, June 6, 1990.

¹²⁷ Bosk, January 1995, op. cit.

36. A Pipe Bomb Went Rippin' Through Her Womb

"I knew it was a bomb the second it exploded. I felt it rip through me with a force more powerful and terrible than anything I could imagine. It blew right through my car seat, shattering my pelvis, crushing my lower backbone, and leaving me instantly paralyzed. Slumped over in my seat, unable to move, I couldn't feel my legs, but desperate pain filled my body. I didn't know such pain existed. I could feel the life force draining from me, and I knew I was dying. I tried to think of my children's faces to find a reason to stay alive, but the pain was too great, and I couldn't picture them."¹

—Judi Bari's recollection of the bombing, February 2, 1990.

"I heard a 'crack', and my head began to ring like a sitar...like 'nnnnnnnnnr-rrrrrrrrrrrr', and the car came to a screeching halt. The first thought in my mind was, 'Oh no, not again!' because last August we had been rear-ended by a logging truck without ever seeing it coming, and here we are again, me and Judi in a car. But this time, my head was bleeding and I knew I had a seat belt on, and I couldn't figure out how come my head was bleeding if I hadn't hit the windshield. Then I heard somebody scream out. 'It's a bomb, there was a bomb!' And then it all made sense; somebody had tried to kill us."²

—Darryl Cherney's account of the bombing, May 24, 1990.

At this point, Cherney looked over at Bari where, "she was slumped in her seat, screaming in pain, but as far as I could tell, her body was in one piece."³ Bari recalls only being able to make guttural sounds in an attempt to say "help" and vaguely recalls

¹ "The Earth First! Car Bombing", by Judi Bari, *Earth First! Journal*, Brigid / February 2, 1994. The bomb also impaled her backside with a 1½-inch spring.

² "Cherney: I Heard Someone Scream Out, 'It's a Bomb'", by Tobias Young, *Santa Rosa Press Democrat*, May 26, 1990.

³ "Activists Bombed, Busted", by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

that Cherney kept repeating “I love you,” to her, and that she was going to live, in spite of what had happened.⁴

The blast distorted Bari’s white 1981 Sabaru GL car’s unibody frame, tore out its left side and sent debris and heavy blue-grey smoke flying into the air. It blew out some of the windows and left a trail of fragments on Park Boulevard.⁵ The shattered, smoking car veered 100 feet down the road, clipping parked cars and light poles along the way, and hit another vehicle—a delivery truck driven by 40-year-old Ken Rich from Castro Valley—before coming to a stop against a curb in front of Oakland High School, where students were jogging as part of their physical education class.⁶ Had the explosion occurred just forty minutes later, it might have injured the students crossing the road to patronize the local shops for lunch. The nearby public school’s officials would keep the students inside campus buildings for several hours until the blast area was declared safe.⁷ Rich’s vehicle then hit a woman pedestrian who had a heart attack.⁸ He had happened to have been driving the other way, and noticed the smoke billowing from Bari’s vehicle just before it hit his own.⁹

The explosion startled the workers and owners at nearby businesses. “It sounded like they dropped a bomb from a jet or something,” recalled the manager of a nearby Oil Changers, “the whole street just shook.”¹⁰ One of the garage mechanics, who identified himself as “Charles”, added, “It sounded like a cherry bomb in a tin can. It was pretty loud. I kind of felt it in my body, and I was inside.”¹¹ Sokhi Dosanjli, the clerk at a local convenience store reported that the smoke was so thick that, “You couldn’t see anything for awhile”, including the nearby MacArthur Freeway.¹²

Shannon Mar was immediately aware that something had gone horribly wrong. Since she was leading the way, she did not immediately see the blast, but she quickly heard it and smelled the residue of explosives. She recalled, “The car shook, heat rushed through the windows, and I smelled sulfur. I looked in the rear-view mirror, and (all I could see was) smoke.” Bari’s car rolled past her own just before hitting Ken Rich’s vehicle and then hitting the curb. Marr immediately came to a stop, exited her car, and

⁴ “Who Bombed Judi Bari?”, Judi Bari interviewed by Beth Bosk, *New Settler Interview*, Issue #89, 1995.

⁵ “Pipe Bomb Blast: 2 Earth First! People Injured; Car Destroyed – Police Question Radical Group’s Members”, by Harry Harris and Paul Grabowicz, *Oakland Tribune*, May 25, 1990.

⁶ “Area Activists Arrested for Blast; 2 Earth Members Suspected of Own Bomb”, *Eureka Times-Standard*, May 25, 1990.

⁷ Harry Harris and Paul Grabowicz, May 25, 1990, op. cit.

⁸ Richard Johnson, May 29, 1990, op. cit.

⁹ Harry Harris and Paul Grabowicz, May 25, 1990, op. cit.

¹⁰ “Bomb Hurts Timber Activists; Bari, Cherney May Be Charged, Attorney Says”, by Bleys W. Rose, Mike Geniella, and Alvaro Delgado, *Santa Rosa Press Democrat*, May 25, 1990.

¹¹ “Questions on Car Bomb; Injured Activists May be Suspects”, staff and wire reports, *Santa Cruz Sentinel*, May 25, 1990.

¹² “Timber Activists Arrested; Officials Claim Bomb Was Carried by Pair”, *Ukiah Daily Journal*, May 25, 1990.

ran to Bari's bombed-out vehicle (where Ken Rich was already standing) to determine the condition of her friends. Marr said, "Judi was stuck in her seat. She kept saying, 'It hurts. It hurts. I can't breathe.' Darryl had a gash over one eye and it was gushing blood."¹³

Meanwhile, Dave Kemnitzer had fallen slightly behind, but by now he had arrived near the intersection of MacArthur and Park Boulevards. He emerged from his vehicle screaming, "It's the loggers! The loggers are trying to kill us!" At that moment, Ken Rich ran to Bari's car and saw Cherney emerge. He recalled, "I've been in Vietnam and I've seen bombed out cars before. This one took a heavy hit. I'm amazed the people are still alive."¹⁴ Rich had been trained in first aid, but he described Bari's car as "so mangled" that he felt it would be more effective, "to let the paramedics treat the victims." He then recalled Marr running up to him, exclaiming, "They're my friends!"¹⁵

Bob Vandemeer, the president of a San Rafael demolitions company, just happened to have been driving behind Bari on his way to an Oakland A's baseball game.¹⁶ The force of the explosion made him bounce up in the seat of his pickup truck. He then noticed, "a big blue cloud of smoke (which) smelled like gunpowder. (Then) things started falling from the air—parts of (Bari's) car."¹⁷ After the explosion, he immediately summoned police from his mobile telephone.¹⁸ He then approached the vehicle where Rich, Marr, and Kemnitzer were congregating. He, like Rich, reported, "(Bari) was unconscious, and sort of smashed up against the door on the driver's side...As I approached, (Cherney) popped up, bleeding pretty bad all over. He started yelling, 'Help! Get me out of here!'"¹⁹

* * * * *

Vandemeer needn't have bothered contacting the law; agents had already been dispatched to the scene. Within ten minutes, an FBI agent by the name of McKinley²⁰ arrived, almost as if he had anticipated the events that occurred.²¹ He was quickly followed by about 15 others, as well as agents from the Bureau of Alcohol, Tobacco, and

¹³ "Friends: 'No Way' Bari, Cherney Knew About Bomb", by Chris Coursey, *Santa Rosa Press Democrat*, May 26, 1990.

¹⁴ "Area Activists Arrested for Blast; 2 Earth Members Suspected of Own Bomb", *Eureka Times-Standard*, May 25, 1990.

¹⁵ "2 Earth First! Members Hurt By Bomb in Car; Radical Environmentalists Were Visiting Oakland", by Michael Taylor and Elliot Diringer, *San Francisco Chronicle*, May 25, 1990.

¹⁶ Harry Harris and Paul Grabowicz, May 25, 1990, op. cit.

¹⁷ "Explosion Catapults Campaign into Limelight", by Linda Goldston, *San Jose Mercury News*, May 25, 1990.

¹⁸ Richard Johnson, May 29, 1990, op. cit.

¹⁹ "Victim Held for Questioning in Car Bombing: Oakland Blast Injures Two Environmental Activists; Police, FBI Probes Criticized", by Andy Furillo and Jane Kay, *San Francisco Examiner*, May 25, 1990.

²⁰ "Who Bombed Judi Bari?", Judi Bari interviewed by Beth Bosk, *New Settler Interview*, Issue #89, January 1995.

²¹ "IWW Members Bari and Cherney Framed", *Industrial Worker*, June 1990.

Firearms (BATF), all of whose officers were located across the Bay in San Francisco.²² The Oakland Police, whose base of operations at the time was much closer, arrived a good fifteen minutes later, and with the police arrived the media to photograph the carnage.²³ Even though Park Boulevard was merely a local through street rather than a main thoroughfare (such as MacArthur), the blast still caused a major traffic jam, which forced the rerouting of public transit buses from the area.²⁴

After a few minutes of discussion and arguing by the various law enforcement agencies, the FBI assumed jurisdiction, and (without any credible evidence) immediately decided that Bari and Cherney had been knowingly transporting the bomb in order to engage in an action of sabotage in Santa Cruz, much like the incident that had occurred the previous month. Paramedics then arrived. First they attended to Cherney, who kept shouting out his name to passersby, lest he be “disappeared” like the victims of the right wing government in El Salvador, until the paramedics finally ordered him to keep quiet.²⁵ At least one police officer later (falsely) reported that Cherney told them that he thought that somebody had thrown a bomb at them through one of the car’s windows.²⁶ After the paramedics had finished with Cherney, then removed Bari from her car using the Jaws of Life.²⁷

Bari and Cherney were soon dispatched to nearby Highland Hospital by ambulance, not yet cognizant that they were about to be placed under arrest. Meanwhile Kemnitzer and Mar were detained at the Oakland police station and questioned for at least six hours before being released.²⁸ The two cooperated with the investigation because they were initially led to believe that law enforcement officials were attempting to protect Bari and Cherney from their would-be assassins, but they soon learned otherwise. Kemnitzer’s apartment was searched by the Oakland Police, the FBI, and the BATF without a warrant.²⁹ The damaged Subaru was towed to a parking lot under the Nimitz Freeway by the main Oakland Police station in downtown Oakland.³⁰ Kemnitzer’s car was also impounded, and he had to pay \$173.58 for its release despite the fact he had committed no crime.³¹

Bari recalled little of the next twelve hours other than vague recollections of being loaded onto a gurney and into an ambulance, and then taken to the hospital in excru-

²² “The Earth First! Car Bombing”, by Judi Bari, *Earth First! Journal*, Brigid / February 2, 1994.

²³ Richard Johnson, May 29, 1990, op. cit.

²⁴ Harry Harris and Paul Grabowicz, May 25, 1990, op. cit.

²⁵ Harris, David, *The Last Stand*, New York, NY, Times Books, Random House, 1995, page 324-25.

²⁶ “2 Car-Bomb Victims Arrested: Police Accuse Pair After Blast Injures Them in Oakland; Allies Call them ‘Avowed Pacifists’”, by Lance Williams and Andy Furillo, *San Francisco Examiner*, May 25, 1990.

²⁷ David Harris, 1995, op. cit., page 324-25.

²⁸ Richard Johnson, May 29, 1990, op. cit.

²⁹ “Earth First! and COINTELPRO”, by Leslie Hemstreet, *Z Magazine*, July / August 1990.

³⁰ Harry Harris and Paul Grabowicz, May 25, 1990, op. cit.

³¹ Hemstreet, op. cit.

ciating pain.³² She recounted being hugged by a nurse upon her arrival at the hospital. She also remembered:

“I woke up in the hospital 12 hours later, groggy and confused from shock and morphine. My leg was in traction, tubes trailed from my body, and I was absolutely immobile. As my eyes gradually focused, I made out two figures standing over me. They were cops. Slowly I began to understand that they were trying to question me. ‘You are under arrest for possession of explosives,’ one of them said. And even in this devastated condition, my survival instincts kicked in. ‘I won’t talk to you without a lawyer,’ I mumbled, and drifted back into unconsciousness.”³³

At one point, Bari was removed from critical care by the Oakland Police, and transferred to the hospital’s jail ward, a move Bari’s attending doctors protested vehemently.³⁴ Bari later discovered, through legal depositions, that the Oakland Police had met her at the hospital and questioned her as she was wheeled into surgery, because, according to questioning officer, Bari’s statements were considered “death bed confessions” which carry a special legal status, and are not considered “hear-say” evidence. However, when asked “who did this?” Bari simply replied over and over again, “Timber...Fort Bragg...Nazis...Death Threats.”³⁵ At one point Bari *did* manage to provide the phone number to the Mendocino Environment Center, and the police officer who heard it contacted the MEC and informed Betty Ball of what had occurred.³⁶

It was a miracle that the blast hadn’t claimed Bari’s life, but somehow, over the weekend, her medical condition, while serious, remained stable. She had no damage to vital organs, but did suffer facial cuts, a shattered pelvis, and internal bleeding that was stopped by surgery at Highland Hospital in Oakland.³⁷ Bari recalled:

“It hurt so bad, that I just begged them to put me out, and they told me they were going to operate and cut out my colon and give me a bag that my shit would come out of, and I told them to let me die instead. And they went in there (surgery) and apparently they didn’t have to do it. And they told me I wouldn’t walk and I wouldn’t be able to control my body functions, but to their great surprise and my great relief—I was wondering who was going to change my diapers for the next 50 years—but it turns out that was an incorrect diagnosis and I’m already regaining control. I don’t

³² Bosk, January 1995, op. cit.

³³ Bari, February 2, 1994, op. cit.

³⁴ “Some People Just Don’t Get It”, Judi Bari interviewed by Bruce Anderson, *Anderson Valley Advertiser*, June 13, 1990.

³⁵ Bosk, January 1995, op. cit.

³⁶ www.colemanhoax.info, in response to Coleman, op. cit., page 13.

³⁷ Richard Johnson, May 29, 1990, op. cit.

know if I'm going to walk, but I'm definitely going to be able to control my body functions."³⁸

Darryl Cherney, meanwhile, suffered perforated ear drums (which resulted in a temporary partial hearing loss) and a scratched right cornea.³⁹ He was treated for lacerations and then immediately taken into custody and was interrogated at the Oakland Police station by Oakland Police and the FBI for seven hours (until 3:00 AM) without an attorney present.⁴⁰ He was denied food and water as well as bathroom privileges.⁴¹ During the questioning, the FBI agents were initially friendly, until they had convinced Cherney to waive his Fifth Amendment rights, which he did, because he was concerned that perhaps the same bomber had placed a similar device in his own vehicle.⁴² After that their questioning turned hostile, at which point they told Cherney, "Now we can find out if that was your bomb or not, so why don't you just tell us." The shell shocked activist replied, "Hey man, it never even occurred to me you would even remotely *consider* that we would be carrying a bomb in our car!"⁴³ While this was taking place, FBI agents sealed off Cherney's residence near Garberville. According to FBI spokesman Duke Diedrich, the agency's conducted an investigation all through the night of May 24, 1990 all over northern California.⁴⁴

While Bari and Cherney were detained, their fellow activists tried desperately to piece what had happened together and act. For twenty-four hours following the bombing, Bari and Cherney were isolated from their supporters while they were grilled by police and FBI agents who told the press that that the couple were suspected their own bombing.⁴⁵ The authorities argued that the bomb had been in the back seat of Bari's vehicle, on the left rear floorboards, behind the driver's seat in plain sight. Oakland Police Lieutenant Clyde "Mike" Sims declared, "The evidence is strong that they were (knowingly) transporting this device, and that's why they were arrested. Based on our determination of the placement of the device in the car, we believe they should have known it was there. We believe it went off accidentally."⁴⁶ Earth First!er Karen Pickett attempted to see both Cherney and Bari—even claiming to be one of Bari's sisters in a failed attempt to gain access to Bari's hospital room. *She* was arrested, then taken

³⁸ Bruce Anderson, June 13, 1990, op. cit.

³⁹ "Judi & Darryl Still Fighting Despite Bomb Damage", by Karen Pickett, *Earth First! Journal*, Litha / June 21, 1990.

⁴⁰ Hemstreet, op. cit.

⁴¹ Hemstreet, op. cit.

⁴² "Cherney: I Heard Someone Scream Out, 'It's a Bomb'", by Tobias Young, *Santa Rosa Press Democrat*, May 26, 1990.

⁴³ "Activists Deny Carrying Bomb; Cherney Still in Jail with High Bail", *UPI Wire*, *Eureka Times-Standard*, May 26, 1990.

⁴⁴ "Area Activists Arrested for Blast; 2 Earth Members Suspected of Own Bomb", *Eureka Times-Standard*, May 25, 1990.

⁴⁵ Richard Johnson, May 29, 1990, op. cit.

⁴⁶ "2 in Blast Arrested; Earth First! Activists Hauling Bomb in Car, Police Suspect", by Linda Goldston and Barry Witt, *San Jose Mercury News*, May 25, 1990.

to the Oakland Police station where she, too, was detained for further questioning.⁴⁷ Kemnitzer reported that the Police, “were questioning me on the assumption that I was (a) member of some terrorist gang. Neither I or Judi or anyone involved with Earth First! (has) anything to do with explosives.”⁴⁸

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Meanwhile, in Santa Cruz, Lisa Henry and Zack Stenz had been working diligently and busily to organize the concert at which Bari and Cherney were to perform. Henry in particular had concentrated her efforts on promoting the event, distributing posters and press releases, making public service announcements, and numerous phone calls. Lisa Henry recalled:

“I walked in the door (of my home) and my housemate put her hands on my shoulders and she said, ‘You have to sit down.’

“I replied, ‘They’re dead, aren’t they.’

“And she said, ‘No, they’re not dead. But Judi is in intensive care and she might not live.’ Then she told me Darryl had a broken wrist and had concussions.

“I was just in shock, but I grabbed a piece of paper, and as I went into shock, I started writing everything I had to do.”⁴⁹

Henry, Stenz, Karen DeBaal (who had also received death threats postmarked from Los Angeles and San Diego locations the previous month), and one other activist were visited and questioned by investigators from the Santa Cruz County Sheriff’s office.⁵⁰ At this point, Henry’s housemates, already wary from the discovery that the FBI had tapped their phone due to the infamous but unconnected-to-Earth First! “Earth Night Action” the previous month, escorted her out of the house, led her to a car, and drove her to a friend’s house. “We can’t deal with this. Do your work somewhere else,” they told her, and began the process of having Henry expelled from the residence permanently.⁵¹

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The Police and FBI weren’t making it easy for Bari and Cherney to be freed by their comrades either. Bail was initially set at \$3,000. When supporters who had raised that amount came to pay it, they found that it had been raised to \$12,000 by Oakland-Piedmont Municipal Court Judge Horace Wheatley.⁵² The activists gathered the re-

⁴⁷ “IWW Members Bari and Cherney Framed”, *Industrial Worker*, June 1990.

⁴⁸ Harry Harris and Paul Grabowicz, May 25, 1990, op. cit.

⁴⁹ “Lisa Henry on her 22nd Birthday”, Lisa Henry interviewed by Beth Bosk, *New Settler Interview*, January 1991.

⁵⁰ “Earth First! Pair Were on Way to Santa Cruz”, by Steve Perez, *Santa Cruz Sentinel*, May 25, 1990.

⁵¹ Bosk, January 1991, op. cit.

⁵² “Earth First! Leaders Arrested in Bomb Probe”, by Michael Taylor and Sharon McCormick, *Fresno Bee*, May 26, 1990 (recopied and abridged from the *San Francisco Chronicle*).

mainder only to discover it had been raised again to \$100,000, again by the judge, which was an unheard of amount.⁵³ Oakland Police Sergeant Ramon Paniagua had requested the increase, declaring, “We’re talking about a very dangerous device here, and I don’t want (Bari and Cherney) outside (of custody).⁵⁴ Wheatley explained that he had taken Paniagua, who had declared the pair a “flight risk”, at his word without so much as a question, and misidentified them both as hailing from *Guerneville* (in Sonoma County).⁵⁵ Bari soon received legal counsel, but Cherney was denied the same until well into the next day.⁵⁶ Bari’s lawyer, Susan Jordan, was initially denied, but eventually granted, permission to talk with her client. The lawyer reported that Bari was so heavily sedated she could not carry on a sustained conversation. Bari expressed fear for her life, but was able to deny responsibility for the blast. Other than Jordan, only law enforcement and medical personal were allowed contact with Bari during the first few days.⁵⁷

The FBI and Oakland Police had no evidence on which to charge Bari and Cherney, but they went to desperate lengths to find some. They searched and ransacked both Bari’s and Cherney’s houses, without a warrant, starting on the day after the bombing⁵⁸, and seized 111 common household items that they claimed could have been used to construct the bomb.⁵⁹ These included a red marker, duct tape, glue, and several bags of nails, all of which were diligently bagged and tagged, described to the press by the FBI (with great fanfare) as proof of Bari’s and Cherney’s guilt, and then sent to the FBI crime lab for analysis.⁶⁰ They took thirty grocery bags full of documents as well as window frames and sections of walls from Bari’s dwelling, and three from Cherney’s.⁶¹ Among the first item listed found among Cherney’s possessions was reported to be a monkeywrench, and even if that had been what they’d found, it was not particularly damning evidence (as it turned out, the implement actually seized was a common pipe wrench).⁶² Most of the items seized could be found among the possessions of just about any rural homesteader, but the FBI never conducted any investigations of anyone else, except for Bari’s and Cherney’s fellow organizers.⁶³

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⁵³ Hemstreet, op. cit.

⁵⁴ “Oakland Police Arrest the Victims in Car Explosion; Cops Believe Bomb Knowingly Carried by Environmentalists”, by Michael Taylor and Sharon McCormick, *San Francisco Chronicle*, May 26, 1990.

⁵⁵ “Bail Raised to \$100,000 for Earth First! Bomb Suspects; Fellow Activists Decry Judge’s Move, Vow to Raise Cash”, by Andy Furillo and Lance Williams, *San Francisco Examiner*, May 26, 1990.

⁵⁶ “Legal Update”, unpublished letter, by Kevin Trombold, June 18, 1990.

⁵⁷ Richard Johnson, May 29, 1990, op. cit.

⁵⁸ “Questions for Congress to Ask the FBI”, *Mendocino Country Environmentalist*, August 1, 1990.

⁵⁹ Bari, February 2, 1994, op. cit.

⁶⁰ “Too Clever to Catch”, speech given by Judi Bari at Humboldt State University, Arcata, CA., April 18, 1996, featured on the album *Who Bombed Judi Bari?*, edited by Darryl Cherney, 1997.

⁶¹ “Questions for Congress to Ask the FBI”, *Mendocino Country Environmentalist*, August 1, 1990.

⁶² Pickett, June 21, 1990, op. cit.

⁶³ “Redwood Summer Explodes in Violence”, by Sidney Dominitz, *EcoNews*, June 1990.

For days after the bombing, Bay Area law enforcement agencies interrogated local activists and tried to get them to admit that Bari and Cherney were knowingly transporting a bomb.⁶⁴ Oakland Police and agents from the BATF with guns drawn and without a search warrant raided and ransacked the Seeds of Peace House on California Street in Berkeley.⁶⁵ Eight members of Seeds and one man *who simply happened to be passing by* were arrested and handcuffed.⁶⁶ One Seeds activist, a man, recalls asking the police what was going on, to which they responded, “We can’t tell you.”⁶⁷ According to Sarah Seeds, a self-described “middle aged, middle class, middle management” activist from “middle America”, when Seeds member Jim Squatter inquired too persistently about the reasons for their being detained, law enforcement pulled him aside and isolated him out of sight of the other detainees.⁶⁸ “When people come in with guns drawn, that sounds like a police state,” he later recalled.⁶⁹

Following the ordeal, Sarah Seeds declared that she would “never scoff at the clichéd ‘bad cop’ movie ever again; that’s really how they behaved.” This group, like Kemnitzer cooperated with law enforcement, because they initially assumed that the latter were attempting to protect Bari and Cherney, but when they were taken into custody, the men were put in isolation while the women were placed into a holding tank. When they finally returned to their house on California Street, they found the house unlocked and unattended.⁷⁰ Seeds of Peace wasn’t the only group targeted besides Earth First!. FBI and Police agents also raided the Rainforest Action Network office.⁷¹ The Oakland Police Homicide division and the FBI also sent agents Nevada City to depose IWW members Utah Philips and Joanna Robinson.⁷²

On Friday, May 25, while police were still searching Cherney’s residence in Piercy, Oakland Police deliberately delayed a press conference, because no evidence linking Bari and Cherney to the bomb had been found. When they finally spoke, they would only state that the two were under arrest for suspicion of possession and transport of explosives.⁷³ The media reported that the FBI was attempting to link Bari and Cherney to environmental bombings throughout the state. Even though Bari and Cherney were under arrest, Alameda County assistant District Attorney Chris Carpenter filed no

⁶⁴ “Redwood Summer Bombing: Evil Police Smear”, by Richard Johnson, *Mendocino Country Environmentalist*, June 15, 1990.

⁶⁵ Richard Johnson, May 29, 1990, op. cit.

⁶⁶ Hemstreet, op. cit.

⁶⁷ Harry Harris and Paul Grabowicz, May 25, 1990, op. cit.

⁶⁸ Hemstreet, op. cit.

⁶⁹ “Peace Group Angered by Gun-Point Search; Non-violence Credo of Activist Collective”, by Alvaro Delgado, *Santa Rosa Press Democrat*, May 26, 1990.

⁷⁰ Hemstreet, op. cit.

⁷¹ Richard Johnson, May 29, 1990, op. cit.

⁷² Letter to the IWW, by Utah Phillips, unpublished, courtesy of Allan Anger’s personal archives, June 6, 1990.

⁷³ Richard Johnson, May 29, 1990, op. cit.

formal charges against them.⁷⁴ Despite months of fake press releases, timber industry violence, and death threats, the FBI decided that Bari and Cherney were the only suspects.⁷⁵ Law enforcement agents even searched Cherney's van, located a box of tapes, and then blew these up and sent the videos to the mainstream press.⁷⁶ The media framed this event as if the police were detonating explosives or bombs, however in addition to failing to identify the exploded material as music albums, exploded with the police's *own ordinance*, they also neglected to reveal that Cherney had *requested* that the police search his van in order to protect fellow Earth First! musician, George Shook, in case the *real* bomber had planted another device targeting *him*.⁷⁷ After the police had exploded the "suspicious" box of tapes, hundreds of feet of cassette tape could be seen dangling from nearby utility poles.⁷⁸

When Darryl Cherney heard of these developments, he was incensed. He repeatedly insisted that neither he nor Bari had any foreknowledge of the bomb. "Judi has an alibi for every minute of her day on Tuesday, Wednesday, and Thursday," he declared.⁷⁹ He added, "By arresting me, the police and the district attorney are hiding the fact that they are incapable of going after the would-be assassin. What's particularly frightening is that the killer didn't finish the job. This whole thing reeks of an FBI operation."⁸⁰

* * * * *

The bomb that exploded in Bari's car, and the very rapid (but utterly false) determination by the Oakland Police and FBI that the activists had been knowingly transporting the device when it had accidentally detonated, immediately made national news headlines.⁸¹ As they had following the Arizona FBI sting operation, the Corporate Media essentially parroted the official FBI and Police line that Bari and Cherney were guilty of knowingly transporting explosives. As Judi Bari recollects:

"The media had a field day with this news, as the FBI and Oakland Police provided them with the images they needed to make it look like they had

⁷⁴ "Redwood Summer Bombing: Evil Police Smear", by Richard Johnson, *Mendocino Country Environmentalist*, June 15, 1990.

⁷⁵ Bari, February 2, 1994, op. cit.

⁷⁶ Richard Johnson, May 29, 1990, op. cit.

⁷⁷ Hemstreet, op. cit.

⁷⁸ Taylor and McCormick, May 26, 1990, op. cit.

⁷⁹ "Pair in Bombed Car Arrested: Earth First! Denies Plot; Judge Sets \$100,000 Bail", by Barry Witt, *San Jose Mercury News*, May 26, 1990.

⁸⁰ "Bomb Was Murder Plot, Activist Says", by Robert J. Lopez, *Oakland Tribune*, May 26, 1990.

⁸¹ The coverage not already referenced included (but was not limited to): "Redwood Ruckus: Loggers on One Side, Earth First! on the Other", by Linda Goldston, *Arizona Daily Star*, May 26, 1990; "Police Hold Earth First! Pair in Blast", by Mark A. Stein, *Los Angeles Times*, May 26, 1990 (front page); "Earth First! Activists Vow Not to Give Up; Claim Car Blast Was Assassination Attempt", by Linda Goldston, *Marin Independent Journal*, May 26, 1990 (recopied and abridged from the *San Jose Mercury News*); "Environmentalists Hurt, Then Held, in Blast", by Katherine Bishop, *New York Times*, May 26, 1990 (front page); An untitled article in the *Seattle Post-Intelligencer*, May 25, 1990; "Earth First! Activists Arrested After Bomb Blast", *AP Wire*, *Skagit Valley Herald*, May 26, 1990; "Activists Hurt in Bomb Blast Arrested", *Washington Post*, May 26, 1990 (page A8);

busted up a ring of terrorists. They raided Seeds of Peace House without a warrant, turned the place upside down in a fruitless search, and led the occupants away in handcuffs, only to release them a few hours later, after the reporters and cameras had gone home. TV news that night included not only the raid, but an interview with a neighbor who said there were strange goings on in that house, with lights on at all hours. When Seeds of Peace responded that they were a non-violent collective who cooks food for mass nonviolent actions, the neighbor replied, 'I don't know that they're cooking over there. It doesn't smell like food. Maybe PCP.'

"Another image shown over and over on the TV news was the search of Darryl's van. Of course the police found nothing, but they sure put on a good show. They picked out a 'suspicious' box of tapes of Darryl's incendiary music, cordoned off the block, and blew it up in front of the TV cameras, supposedly to see if it contained a bomb. 'No additional explosives were found,' reported the TV, as if explosives had been found in the first place.

"The standard bail for the charges against us was \$12,000. Not only was this too easy to raise, but it was clearly not enough for the dangerous criminals they made us out to be. So, circumventing the normal procedures, the Oakland Police went straight to the judge, without even a lawyer there to represent us. Darryl and I were both declared a flight risk and a danger to the public, even though I was unconscious in the hospital with my leg in traction and my pelvis broken in 10 places. And our bail was raised to \$100,000 each, spawning a new round of headlines and giving credence to the charge of terrorism.

"The news quickly went national, with newspapers across the country screaming about Earth First!ers carrying bombs. It was the only time we ever made the front page of the *New York Times*. The press ate up the police lies with a big spoon, instantly convicting us in their stories. 'Two members of the radical environmental group Earth First! were injured Thursday by their own pipe bomb,' began the lead article in the *San Jose Mercury News*. 'Earth First! leaders hurt in a pipe bomb explosion yesterday have no one but themselves to blame for their injuries,' smirked the blow-dried talking heads on the TV news. And I don't know how many of us are really aware of how much this hurt Earth First!'s image on a national scale."⁸²

The San Francisco Bay Area corporate media's handling of the entire affair was for the most part especially atrocious, accepting the police account without question or hesitation. The worst offender was the *Oakland Tribune*, which ran an article on May

⁸² Bari, February 2, 1994, op. cit.

26, full of inaccuracies, half truths, and outright lies about Earth First!, reporting that authorities were speculating that Bari and Cherney were transporting a bomb in order for the device to appear to accidentally detonate to drum up sympathy for their martyrdom. It also quoted John Ross, executive vice president of the California Cattleman's Association (who opposed *Big Green* which was on the ballot along with *Forests Forever*), accusing Earth First! of vandalizing his group's Sacramento office one night in January 1989 and firebombing an auction warehouse in the Central Valley town of Dixon. Ross of course, offered no proof to back up these damning accusations (Earth First! didn't yet have a Sacramento chapter at the time), but the *Tribune* reported them as fact without question.⁸³ Again, it was if the organizers of Redwood Summer were somehow to blame for exposing the violence and corruption that had already existed for decades simply by challenging business as usual, which is often the spineless accusation made by those along for the ride.⁸⁴

As he had at the Mendocino Board of Supervisors' meeting three weeks previously, Jerry Philbrick accused Earth First! of instigating violence:

"Since we've been talking to them over the last 3 or 4 weeks in public and secret meetings (secret to keep the press out) they've been preaching to us nonviolence and they want to be peaceful and we were just starting to believe them a little bit. In fact, you know I sat next to Judi Bari for two-and-a-half hours (two days) ago at a meeting where she was trying to convince us that there's absolutely no violence included in these symbolic demonstrations that they want to have...I was mad because I thought the basic thing we had been talking about, the trust at these meetings, had been violated by packing around a bomb."⁸⁵

It's entirely possible that some of the gyppos and workers perspectives had been colored by still more fake Earth First! look-alike pamphlets that had been distributed by Georgia Pacific in Fort Bragg on or around May 25, 1990 which seemed deliberately intended to stir up even *further* lynch mob hysteria.⁸⁶ Already, Pacific Lumber and Louisiana Pacific had done so through the auspices of Hill and Knowlton *prior* to the bombing.

The three principle Corporate Timber targets of Redwood Summer each issued statements condemning the bombing which—while they ostensible wished Bari and Cherney a speedy recovery—were at best ambiguous in assigning blame for the bombing, even implying (as the FBI and Oakland Police had asserted) that the victims were the perpetrators.

⁸³ Hemstreet, op. cit.

⁸⁴ "The Stupid People Problem", by Rob Anderson, *Anderson Valley Advertiser*, May 30, 1990.

⁸⁵ "The Car Bombing: Four Responses – Jerry Philbrick: Comptche Logger", interview by Lynne Dahl, *Anderson Valley Advertiser*, May 30, 1990.

⁸⁶ "Workers Manipulated", letter to the editor, by Bill Self, *Mendocino Country Environmentalist*, June 15, 1990.

G-P public relations manager Don Perry stated, “We were shocked to hear this had occurred. We were just shocked. (The company) deplores this action...We hope that whoever is responsible for this act is apprehended or prosecuted...and quickly.”⁸⁷

L-P’s Shep Tucker proclaimed:

“I think what we’ve decided to say about the whole thing is it’s unfortunate. We’re just going to let the authorities do their thing and see what they have to say...It scares the heck out of a lot of people. There are radicals on both ends. How do you control these elements? There’s a feeling of what not knowing what to do.”⁸⁸

Tucker, of course, failed to disclose his role as a WECARE spokesman and that WECARE members and their close associates in Mothers’ Watch had drafted fake Earth First! press releases and had connections to the violent and reactionary Sahara Club.⁸⁹ He *did* say, “(L-P) does not condone violence of any form against people or property...(this bombing is) an unfortunate and tragic event.”⁹⁰

John Campbell issued a statement wishing, “(That) Ms. Bari and Mr. Cherney fully recover from the injuries they received in this appalling accident.”⁹¹ However, he also declared, “Pacific Lumber does not in any way, shape, or form condone or promote violence whether it be spiking trees, blowing up power lines, or bombing cars. Pacific Lumber is unequivocal in its denunciation of violence, be it directed towards humans or equipment,” which all but implied that Bari and Cherney had been responsible for their own assassination attempt, the mysterious Earth Night Action in Santa Cruz, or the near decapitation of George Alexander, *none of which were true*.⁹² P-L evidently neglected to mention Dave Galitz’s private praise of Dick Abshire’s having decked Greg King the previous year.⁹³

As could be expected, the same people that had accused Judi Bari of “provoking violence” and “polarizing the community” in the beginning of May were equally quick to either say “I told you so” or worse still, swallow the FBI’s and Oakland Police’s line that Bari and Cherney were suspects in their own bombing. Barry Keene declared that the incident was “tragic evidence that extreme confrontation from whatever source leads to violence,” and blamed the organizers of Redwood Summer for “romanticizing

⁸⁷ “Environmentalists Supportive of Victims”, by Lois O’Rourke and Keith Michaud, *Ukiah Daily Journal*, May 25, 1990.

⁸⁸ “Supporters Insist Bomb Victims Nonviolent; Timber Firms Condemn Attack”, by Chris Coursey and Steve Hart, *Santa Rosa Press Democrat*, May 25, 1990.

⁸⁹ Bari, February 2, 1994, op. cit.

⁹⁰ O’Rourke and Michaud, May 25, 1990, op. cit.

⁹¹ “Earth First! Friends Insist Victims Can’t Be Suspects”, by Eric Brazil and Jane Kay, *San Francisco Examiner*, May 25, 1990.

⁹² Coursey and Hart, May 25, 1990, op. cit.

⁹³ “The Palco Papers”, by Judi Bari, *Anderson Valley Advertiser*, March 27, 1991.

violence” which was something akin to accusing an assault victim of provoking their assailant.⁹⁴

Don Nelson uncritically accepted the FBI and Oakland Police contention that they had enough evidence on which to hold Bari and Cherney and called it “a sad comment on the whole situation.” He again appealed to organizers to cancel Redwood Summer,⁹⁵ and he quickly dismissed the notion that a logger might have planted the bomb (a suggestion that neither Bari nor Cherney had made), declaring,

“Nobody who works for a living would have that on their minds. A logger might be guilty of punching somebody when provoked in anger, but they would not put together a premeditated act like that...The environmental community ought to be very careful about casting blame on loggers or the Oakland Police, as I’ve heard them doing already.”⁹⁶

Nelson evidently didn’t consider the attack on Bari and Cherney by Donald Blake or the firing off of a shotgun by David Lancaster or the latter’s younger brother as “premeditated” acts of violence. He then went on to make the absurd accusation that Earth First! had been “adversarial and confrontational in their meetings with (his) union,” all the while omitting the rank and file opposition within IWA Local #3-469 to Nelson’s collaboration with G-P.⁹⁷

Mendocino County Supervisor Marilyn Butcher declared, “I think it’s absolutely terrible that this has escalated to this...This is what I’ve worried about all along...I’m concerned about the crazies from outside coming to the area.”⁹⁸

Nelson Redding denounced Earth First!, on *National Public Radio*, as being “Worse than the People’s Temple”.⁹⁹

Jim Eddie said, “I’m nervous about this Judi Bari-Darryl Cherney thing. It may create violence the county really doesn’t need...We don’t have the money to go to the more remote areas of the county to protect people.”¹⁰⁰

Mendocino County Sheriff Tim Shea stated, “It’s terrible. I hate to see things like that happen. The only thing I’m trying to do is help prevent anybody from being seriously injured, whether they be law enforcement, protesters, or other people. Our goal is to keep everything as peaceful as we possibly can.” We went on to blame the Corporate Media for giving Redwood Summer too much attention, which he implied was the cause of the bombing to begin with.¹⁰¹

⁹⁴ “Logging Foes Claim ‘Full Head of Steam’”, by Mike Geniella, *Santa Rosa Press Democrat*, May 26, 1990.

⁹⁵ “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

⁹⁶ Coursey and Hart, May 25, 1990, op. cit.

⁹⁷ Brazil and Kay, May 25, 1990, op. cit.

⁹⁸ O’Rourke and Michaud, May 25, 1990, op. cit.

⁹⁹ Bruce Anderson, June 13, 1990, op. cit.

¹⁰⁰ O’Rourke and Michaud, May 25, 1990, op. cit.

¹⁰¹ Coursey and Hart, May 25, 1990, op. cit.

Marilyn Butcher's virtual political twin in Humboldt County, Anna Sparks, declared "There's a lot of mixed reactions up here. The ones that support (Cherney) are real sympathetic, and the ones that don't support him, I guess, are kind of elated that he has brought a mishap upon himself."¹⁰²

Maribelle Anderson opined, "We've asked before, and we're asking again that (Redwood Summer) be called off...I believe law enforcement when they say the evidence shows the people involved were carrying explosives."¹⁰³

Although Art Harwood had been meeting with Bari, he *also* urged organizers to call off Redwood Summer.¹⁰⁴

Joanne Wilson, manager of the Garberville Chamber of Commerce stated, "at this point we just hope nobody gets hurt, and inferred that Redwood Summer had split the community into "Green" and "Yellow" camps, with a tiny handful seeking "middle ground" representing neutral "Blue" faction.¹⁰⁵ The splits were real of course, but Wilson was blaming the victims, because the real divisions had been sown by Corporate Timber.

North Coast News columnist Nancy Barth questioned Bari and Cherney's commitment to nonviolence, as if the victims were somehow to blame for their own attack.¹⁰⁶

The *Santa Rosa Press Democrat* stopped short of accusing Bari and Cherney of guilt, but nevertheless suggested that the attack on them had been incited by their militancy, opining:

"The violence that has simmered below the surface of the battle over California's Redwoods exploded at noon Thursday on an Oakland Street...Earth First!'s critics must strongly, publically denounce any use of violence. Some timber leaders have accused Bari and Cherney of 'inciting' rough-tough logger-types. Tempers may be high, fuses may be short, but political; disputes cannot be resolved by silencing the voices of the opposition."¹⁰⁷

Nowhere in the editorial did the editor mention the misinformation and violent rhetoric spread by Corporate Timber's front groups and the gyppos. Not once did they allude to the death threats received by the Redwood Summer organizers. They issued not so much as one peep about Donnie Blake, the Lancasters, or Dick Abshire.

¹⁰² "Earth First! is 'Not Scared'; Anti-logging Group Says Bomb was Planted, Won't Deter Efforts", by Elliot Diringer, *San Francisco Chronicle*, May 26, 1990.

¹⁰³ "Logging Foes Claim 'Full Head of Steam'", by Mike Geniella, *Santa Rosa Press Democrat*, May 26, 1990.

¹⁰⁴ "Call it Off", an open letter by Art Harwood, published in various periodicals, including, *Willits News*, June 6, 1990; *Mendocino Beacon*, June 7, 1990; *North Coast News*, June 7, 1990; *Santa Rosa Press Democrat*, June 7, 1990; and *Eureka Times-Standard*, June 19, 1990.

¹⁰⁵ "Pipe Bomb Blast: 2 Earth First! People Injured; Car Destroyed – Injured Activists are Organizers of Summerlong Protests", by Judy Ronnigen and Paul Grabowicz, *Oakland Tribune*, May 25, 1990.

¹⁰⁶ "Mendocino Undertow", by Nancy Barth, *North Coast News*, June 6, 1990.

¹⁰⁷ "Worst Fears Come True in Timber Wars", editorial, *Santa Rosa Press Democrat*, May 25, 1990.

James Tusó and Rich Wiseman, both candidates running for the position of Mendocino County Sheriff (to replace the soon to be retiring Tim Shea) believed that there was evidence to support the charges against Bari and Cherney by the FBI, because they had read it in the mainstream newspapers, heard it on mainstream radio news, or watched it on TV. When pressed for what the evidence was by *New Settler* interviewer Lynne Dahl, Tusó admitted, “I don’t know,” and further opined, “We don’t live in a society today where we give people bum raps. We just can’t tolerate that sort of thing.” When queried by Dahl if the bombing could have been a setup by the FBI and/or the Oakland Police, Tusó could only meekly respond, “God, I don’t want to believe that at all. That’s not what this country is built on.”¹⁰⁸ Rich Wiseman was no better, stating,

“According to what I’ve read in the newspapers, the authorities feel that they clearly have the evidence were transporting the bomb otherwise they wouldn’t have made the arrest. Keep in mind that this is Oakland; I know that the FBI’s also involved in the investigation. I don’t think they just go out and arrest people unless they have clear evidence.”¹⁰⁹

Evidently Tusó and Wiseman had neglected to follow the news about the “Arizona Five” very closely, because arresting people without evidence against them was *precisely* what occurred there.

As for the died-in-the-wool reactionaries, there was no ambiguity. Bari and Cherney were responsible for their own bombing (even if someone else had placed the bomb in their car), the lack of evidence be damned. *Willits News* columnist Ed Burton who commonly parroted right wing talking points on environmental issues—much like Glenn Simmons—doubted that Earth First! had any more than “a handful” of supporters and dismissed Earth First!’s commitment to nonviolence stating, “The truth is they appear to be violent folks who enjoy the publicity.”¹¹⁰

The Sahara Club waxed gleeful, even celebratory towards the bombing. One member in particular wrote:

“I am truly sorry to hear of you (sic) accident involving an exploding pipe bomb in your car. I am a military police officer who would be glad to offer my assistance in future demolitions, I am only sorry you were not blown up in the explosion. Perhaps you should use more C-4 next time. Catch a clue; your people are injuring good law-abiding citizens, and preventing them from earning a living by doing honest work. I hope you go to jail.”¹¹¹

¹⁰⁸ “The Car Bombing: Four Responses – James Tusó: Candidate for Mendocino County Sheriff-Coroner”, interview by Lynne Dahl, *Anderson Valley Advertiser*, May 30, 1990.

¹⁰⁹ “The Car Bombing: Four Responses – Rich Wiseman: Candidate for Mendocino County Sheriff-Coroner”, interview by Lynne Dahl, *Anderson Valley Advertiser*, May 30, 1990.

¹¹⁰ “There is a Better Way: Find It – Life Goes on in Troubled Mendocino County”, by Ed Burton, *Willits News*, June 1, 1990.

¹¹¹ “Memo of the Week F”, reprinted in the *Anderson Valley Advertiser*, July 18, 1990.

Yet, that statement wasn't the worst. The ultimate example of, salt-in-the-wounds, in-your-face hatred came from the leadership itself who issued a statement which read:

"BOMB THAT CROTCH! Judi Bari, the Earth First! bat slug...blew herself halfway to hell and back while transporting a bomb in her Subaru...Bari, who had her crotch blown off, will never be able to reproduce again. We're just trying to figure out what (sic) would volunteer to inseminate her if she had all her parts. The last we heard, Judi and her friends were pouting and licking their wounds."¹¹²

This vile statement was as misogynistic as it was violent, and it was seen by many as highly symbolic of the attack on a powerful woman such as Bari as well as the ongoing rape of the Earth.

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For the activists involved in Redwood Summer as well as the broader forestry reform movement, there was no question that the bombing was an attempt at discrediting and disrupting Redwood Summer and everything connected to it. Naomi Wagner summed up the feeling of many of the people involved by recounting:

"My first feeling, was one of many, it was one of total shock and numbness and the inability to grasp just how serious this was. And then in addition to the shock of the actual bombing and injuries, the insult added to injury of their being accused of being the agents of their own destruction.

"At first, I just wanted to shut out the reality, and I wanted to believe that Judi is a strong woman and she'll get over it, she'll be okay, she'll be fine. I didn't allow it to enter my consciousness that she could be permanently crippled. I wanted very much to believe this was a temporary setback, because all the momentum and euphoria of the Movement and something being done about these problems was shattered when the bomb went off."¹¹³

From jail, Darryl Cherney urged supporters of Redwood Summer not to let the threat of repression deter them from their cause:

"At the beginning of Freedom Summer in Mississippi in 1964, some of the key organizers were jailed for the entire summer. And of course there was the three murders of (James Chaney, Andrew Goodman, and Michael Schwerner) that came early on. And yet that did not deter the organization and the success of the voter registration drive in Mississippi, and in the

¹¹² "The Feminization of Earth First!", by Judi Bari, *Ms. Magazine*, May 1992.

¹¹³ "The Reinhabitants Perspective", Naomi Wagner interviewed by Beth Bosk, *New Settler Interview*, Issue #51, August 1990.

same manner, we do not expect these incidents to deter or stymie the success of Redwood Summer. In the spirit of those people who fought so bravely in Mississippi, I say we shall overcome, and Redwood Summer will go on.”¹¹⁴

In spite of the negative press, the organizers and supporters of Redwood Summer were indeed steadfast in their resolve, and if anything, the bombing and subsequent arrest of Bari and Cherney increased their support. Letters to the editor almost universally in support of them came pouring in to most local and regional newspapers.¹¹⁵

Earth First! cofounder, Dave Foreman—who still awaited trial due to the FBI’s entrapment of him and four other activists in Arizona—declared, “Our feeling is that the police are taking the easy way out...We hope they’ll start looking for the real bomber.”¹¹⁶ He added, “Any rumors that they were transporting a bomb are as outrageous as suggesting that about Martin Luther King in the campaigns in the south.”¹¹⁷

Fellow founder Mike Roselle denounced the FBI’s and Oakland Police’s immediate charges that Bari and Cherney were guilty as being wrong from the get go.¹¹⁸

David Chatfield, the national director of Greenpeace at the time declared, “This is crazy.

¹¹⁴ “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

¹¹⁵ For example, see, “Folly, Foolery”, by Steven Chatham, *Santa Rosa Press Democrat*, May 31, 1990; “Crowd Control”, by Will Bennett, *Santa Rosa Press Democrat*, May 31, 1990; “A Simple Check”, by Jane Rosenstein, *Ukiah Daily Journal*, May 31, 1990; “Earth First! Unity”, by Kristen Johnson, *Santa Rosa Press Democrat*, June 1, 1990; “Outraged at Arrest”, (four identical letters to the editor) by Min Collier, Kristen Johnson, Shelly McCoy, and Auturo Mesa, *Ukiah Daily Journal*, June 1, 1990; “Investigate All Possibilities”, by Leonard Roberts, “Arrest was Breach of Justice”, by Jay W Mead, and “Convenient Tactic”, by Dan and Carrie Hamburg, *Ukiah Daily Journal*, June 4, 1990; “Quit Blaming Environmentalists”, by Bill Self, *Ukiah Daily Journal*, June 5, 1990; “Wake Up Time for Workers”, by Greg Cox, *Anderson Valley Advertiser*, June 6, 1990; “History Repeating Itself”, by Mark Thysen, *Anderson Valley Advertiser*, June 6, 1990; “Open Letter to Attorney General Van de Kamp”, by Liz Helenchild, *North Coast News*, June 7, 1990; “Get Involved”, by Mary Moore and “Condemns Bombing”, by Morris Rappaport, *Santa Rosa Press Democrat*, June 9, 1990; “Turn the Tables”, by Dorothy Mareya Dorman, *Mendocino Country Environmentalist*, June 15, 1990; and untitled letter to the editor by Rouvishyana, *Mendocino Commentary*, June 28, 1990.

¹¹⁶ “Earth First! Arrests Draw Attention to ‘Redwood Summer’”, *UPI Wire, Eureka Times-Standard*, May 27, 1990.

¹¹⁷ “Victim Held for Questioning in Car Bombing: Oakland Blast Injures Two Environmental Activists; Police, FBI Probes Criticized”, by Andy Furillo and Jane Kay, *San Francisco Examiner*, May 25, 1990.

¹¹⁸ “Detective to Probe Bombing: Earth First! Pair Faces Arraignment”, *UPI Wire, Eureka Times-Standard*, May 29, 1990.

This is a real injustice that there's a 12-hour investigation (leading to the arrests) when these people have gotten eight weeks of threats."¹¹⁹ Over the weekend after the bombing, Greenpeace hired a private investigator to find the real bomber.¹²⁰

Shannon Marr who had been leading the way when the bomb exploded stated unequivocally, "I know they didn't blow themselves up. That's a true fact."¹²¹

David Kemnitzer agreed, declaring, "It's just not conceivable (that they'd be guilty)."¹²²

Karen Pickett declared that the idea that Bari and Cherney were knowingly transporting a bomb was "absolutely ludicrous."¹²³ She added, "I think that they're looking in entirely the wrong places, and I don't think that they're doing a thorough investigation. I think that the police tactics need to be investigated here."¹²⁴

Betty Ball was convinced the bombing was a deliberate attempt to disrupt Earth First!, not just assassinate Judi Bari (and Darryl Cherney), declaring, "This bombing is a vicious, brutal act perpetrated not just against Judi and Darryl but against our whole movement. The bomber wanted not only to destroy these two people, but the forest they are giving their lives to protect."¹²⁵

The Man Who Walks in the Woods pointed to the death threats received by Redwood Summer organizers as a clue that this bombing was an attempt to make good on them. "I can tell you for absolute certain, (Cherney) would not be involved in violence. If there was a bomb, it was planted there."¹²⁶

Pam Davis called the charges against Bari and Cherney "ludicrous" and added, "The bombing and police 'investigation' is an attempt to keep two of the most effective organizers out of commission for Redwood Summer."¹²⁷ "I think (Corporate Timber) want to sabotage us to scare us away so they can attack our movement. I know Judi Bari. I've known her for years. I do not believe she would use an explosive device. It's not the style that she operates with."¹²⁸

¹¹⁹ "Earth First! Duo's Arraignment Delayed by Oakland Prosecutor", *UPI Wire, Eureka Times-Standard*, May 30, 1990.

¹²⁰ Richard Johnson, May 29, 1990, op. cit.

¹²¹ "Activists Deny Carrying Bomb; Cherney Still in Jail with High Bail", *UPI Wire, Eureka Times-Standard*, May 26, 1990.

¹²² "Friends: 'No Way' Bari, Cherney Knew About Bomb", by Chris Coursey, *Santa Rosa Press Democrat*, May 26, 1990.

¹²³ Harry Harris and Paul Grabowicz, May 25, 1990, op. cit.

¹²⁴ *Who Bombed Judi Bari?*, film by Darryl Cherney and Mary Liz Thompson, 2012.

¹²⁵ Richard Johnson, May 29, 1990, op. cit.

¹²⁶ Ronnigen and Grabowicz, May 25, 1990, op. cit.

¹²⁷ "Bombed but Not Broken", Santa Rosa Earth First! press release, reprinted in the *Country Activist*, June 1990.

¹²⁸ "Activists Deny Carrying Bomb; Cherney Still in Jail with High Bail", *UPI Wire, Eureka Times-Standard*, May 26, 1990.

IWW folksinger Utah Phillips publically denounced the charges against Bari and Cherney as being “absurd”.¹²⁹

Oregon Earth First!er, Kelpie Wilson, reminded everyone that Bari and Cherney had renounced tree spiking as a tactic and that this was solid evidence of their commitment to nonviolence.¹³⁰

Karen Wood offered similar thoughts, adding, “The FBI is in the business of suppressing and oppressing political groups. I don’t know who did it, but I know Judi and Darryl did not.”¹³¹

Mendocino Earth First!er, Marilyn Scott-Brandon, agreed, stating, “They are vibrant minstrels who have taken a vow of nonviolence.”

Patti Lipmanson, one of Bari’s many friends described the latter as “a feisty, warm person. She’s tough, honest, and very smart. Her overwhelming quality is one of courage.”

Pam Miller, a nonviolence trainer for Redwood Summer declared, “It’s deeply upsetting to me that the police would make such an accusation when it’s false.”¹³²

Darlene Comingore called the charges against the activists, “outrageous, totally wrong, (and), impossible.”¹³³

Zack Stenz opined, “The real fundamental questions are remaining unasked; whose interest is this in, to have these two people bombed?”¹³⁴ He continued, “People like to slap the label eco-terrorists on Earth First! members, but Earth First! has demonstrated over and over its commitment to nonviolence. This shows very clearly which side the violence comes from.”¹³⁵

Roanne Withers had originally intended only a peripheral involvement in the campaign, but while in San Diego for a medical procedure, she happened to see a televised CNN report on the bombing (ironically while she was reading about Bari and Cherney in the latest issue of *Smithsonian*). She recalls standing up, screaming in horror, and then contacting Betty and Gary Ball to inform them that she would return to Mendocino County immediately and put all of her efforts into Redwood Summer.¹³⁶

¹²⁹ “Bomb Charge Absurd Says Activists’ Friend”, by Tobias Young, *Santa Rosa Press Democrat*, May 27, 1990.

¹³⁰ “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

¹³¹ “Victims of Blast Arrested: Earth First! Activists Blamed for Explosion”, by Mark Stein, *Eugene Register Guard*, May 26, 1990 (the article was reproduced from a longer article in the *Los Angeles Times* which did not include the quotes from Karen Wood).

¹³² “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

¹³³ Rose, et. al., May 25, 1990, op. cit.

¹³⁴ This can be seen in video footage, shown in *Cherney and Thompson, 2012, op. cit.*

¹³⁵ “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

¹³⁶ “Editor’s Afterword”, by Beth Bosk, *New Settler Interview*, Issue #51, August 1990.

Gene Lawhorn, now a staunch supporter of Redwood Summer, declared, “To me, Judi with a bomb is like Jesus with an M-16 or Gandhi with a (missile). She’s got two kids, a family; she’d never put them in danger.”¹³⁷

Kevin McCoy, another Earth First!er declared, “It was not their bomb. It was planted there by somebody else, and now it’s being blamed on them, because it’s easy to blame a ‘radical’, but ‘radical’ to us just means involved, aware, informed, and willing to take chances and take risks.”¹³⁸

George Shook agreed, stating, “It’s transparent what has happened. It’s the classic frame. They’re trying to take out two of our most effective leaders.”¹³⁹

Brian Willson issued a statement following the bombing from New York admonishing supporters of Redwood Summer to, “carry on this struggle with escalated vigor...let us put out a call for thousands of people to join in Redwood Summer to save our earth and the old-growth forests.”¹⁴⁰

Keith McHenry, speaking for the San Francisco chapter of Food Not Bombs stated, “(Bari and Cherney) are well known to be nonviolent, well known to not use explosives. Despite this, the police seem not to be considering any other possibility. What’s going on?”¹⁴¹

Mem Hill, no stranger to timber-industry violence, herself another nonviolence trainer for Redwood Summer, disputed the charges against Bari and Cherney, saying, “What the media keeps missing is that we’re totally nonviolent. Judi wouldn’t have had a bomb. She’s not that kind of person.” She added:

“This doesn’t sound like the kind of thing any logger would do—it’s too insidious. It sounds like something a paid hit man would do, but why would the industry be so stupid?” Why would they want to make a martyr out of Judi? Judi considers timber workers to be our allies because our goals are the same. We want sustained growth, and we want a good economy.”¹⁴²

Long time Mendocino County environmentalist, Mitch Clogg, declared:

“Judi Bari and Darryl Cherney are seen by industry and the police as public enemies and trouble makers. At the same time, they are perceived by radicals and environmentalists as their front line heroes. So when the police and the establishment get their hands on people like that, they’ll

¹³⁷ Hemstreet, op. cit.

¹³⁸ *Cherney and Thompson, 2012, op. cit.*

¹³⁹ “Bari, Cherney Under Arrest; Police Say Earth First! Leaders Knew Bomb Was in Car”, by Chris Coursey and Bley W. Rose, *Santa Rosa Press Democrat*, May 26, 1990.

¹⁴⁰ “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

¹⁴¹ “Police Hold Earth First! Pair in Blast”, by Mark A. Stein, *Los Angeles Times*, May 26, 1990.

¹⁴² “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

use whatever means they can to punish them. Extralegal means when you use a flimsy pretext for charging somebody. When you put a \$100,000 bail on someone, it winds up costing those arrested a lot of money. Judi and Darryl are being punished by an officialdom that finds them threatening. It's an old, old story. Anyone familiar with American labor history can cite chapter and verse that it was much like this."¹⁴³

Rob Anderson opined:

"When we heard of the bombing of Judi Bari and Darryl Cherney's car last Thursday, we admit to a brief moment of doubt: Perhaps, in their anger at the rape of the earth, Judi and Darryl, in contradiction of months of organizing and public statements, were actually carrying a bomb. But a moment's reflection discounted the idea as preposterous. After months of meetings, promotion, and statements on nonviolence would Judi and Darryl risk the whole Redwood Summer—not to mention their future credibility with the environmental movement—to do a bombing? If so, what possible target could they find in the Bay Area to justify such a risk?"¹⁴⁴

Anderson then satirically hypothesized the (nonexistent) conversation that took place between Judi Bari and Darryl Cherney:

"We can imagine the conversation Judi and Darryl had as they loaded up the car in Ukiah:

[Judi]: 'Say, why don't we do a bombing while we're in the Bay Area?

[Darryl]: 'Great idea! Where's the bomb?'

[Judi]: 'I think we left it under the bed.'

[Darryl]: 'Here it is. I'll just hook it up to the timer and put it in plain view—so we don't forget it—behind the driver's seat'

[Judi]: 'That's typical, Darryl. You're too much of a wimp to put it behind your seat.'"¹⁴⁵

North Coast News environmental columnist Nat Bingham, whose perspectives not only often did present a reasonable attempt at a middle ground between environmental activists and timber workers, but who was one of the few to give a voice to the often

¹⁴³ "The Car Bombing: Four Responses – Mitch Clogg: Environmentalist", interview by Lynne Dahl, *Anderson Valley Advertiser*, May 30, 1990.

¹⁴⁴ Rob Anderson, May 30, 1990, op. cit.

¹⁴⁵ Rob Anderson, May 30, 1990, op. cit. Judi Bari greatly appreciated these particular satirical musings of Rob Anderson's, which she publically acknowledged in Bruce Anderson, June 13, 1990, op. cit.

overlooked small coastal fishermen, weighed in on the bombing as well. Bingham was mildly sympathetic to, though often critical of, Redwood Summer as well as *Forests Forever*. He also considered the FBI's official line to be simply untenable:

"To arm a bomb means to make it ready to go off. The police said the evidence collected at the site of the explosion indicated that the device was a pipe bomb. While it is remotely possible that static electricity could have accidentally set off the bomb if the detonator was attached to it, it seems unlikely that they would choose to drive around accompanied by a live, ready-to-go bomb.

"The more serious question is what would be the benefit to the Earth First! movement right now if they are trying to move in the direction of non-violence? The whole thing about the Summer in the Redwoods and the 5,000 students that were supposed to be coming to the North Coast was that it was going to be a nonviolent action. Even if they had successfully bombed something, where is the public relations gain? If they were in fact the perpetrators, then they definitely win the North Coast Crime Club annual ineptitude in crime award...

"Now let's try it on me other way. It makes sense as a plot to discredit Earth First! If it was loggers trying to kill Darryl and Judi, I think the attack would have been successful. How many car bombings have you seen on TV or read about where the victims weren't killed? Three or four sticks of dynamite near the gas tank, wired to the car ignition and there's not much left. But a small bomb that doesn't kill does not create martyrs, it sets up an arrest and subsequent criminal legal procedure which could discredit and financially drain the environmental movement.

"It could have just as easily come from the right wing lunatic fringe as the left. Just such tactics were used against the Black Panthers in the late 1970's by the Oakland Police (coincidence?)."¹⁴⁶

Michael Connelly, a regular reader of the *Anderson Valley Advertiser*, was equally skeptical pointing out:

"Judi and Darryl...were on their way to Santa Cruz (to do a concert and talk) and later on to San Luis Obispo to do the same. You don't carry bombs around when you're on tour. What were they going to do—blow up logging equipment on a U.C. campus? Judi was receiving so many death threats that carrying a gun in the car would seem more appropriate but since she is nonviolent we can rule that out too."¹⁴⁷

¹⁴⁶ "Back to Bombs?", by Nat Bingham, *North Coast News*, June 7, 1990.

¹⁴⁷ "Solidarity with Judi and Darryl", letter to the editor by Michael Connelly, *Anderson Valley Advertiser*, June 6, 1990.

Leftist intellectual and long time Mendocino County resident Alexander Cockburn compared Judi Bari to murdered Brazilian Rainforest activist and labor organizer Chico Mendes.¹⁴⁸ He noted that "...if you try to build such coalitions you make dangerous enemies. No one familiar with Bari, Cherney, and the Earth First! group in Mendocino County believes for a second that the two were wittingly carrying a bomb in their car." Cockburn then cited the now all too familiar and numerous examples of violence perpetrated against the likes of Bari, Cherney, Greg King, and other Earth Firsters in Mendocino and Humboldt Counties in recent years.¹⁴⁹

Social ecologist and anarchist critic of Earth First! Murray Bookchin pledged his solidarity with Earth First! (though the *New York Times* quoted him out of context as describing Earth First as "eco-fascists", a statement Bookchin denied having made).¹⁵⁰

Judi Bari's mother, Ruth, declared that her daughter was, "too smart to put a bomb under her seat," adding, "She just wouldn't do a thing like that."¹⁵¹

Although the Corporate Press had focused largely on Redwood Summer and the environmental aspects of the campaign, they said almost nothing about Judi Bari's labor organizing efforts. Earth First! organizer Karen Pickett agreed that Bari's labor organizing may have been one of the motivating factors behind her attempted assassination, arguing that, "The lumber industry paradigm cannot tolerate an Earth First!er and Wobbly organizing their workers. It is doubtful that anyone hated Judi Bari more than Georgia Pacific."¹⁵² (And the same could be said about P-L and Darryl Cherney or L-P and both activists).

Anna Marie Stenberg was convinced, "It was definitely the labor stuff that got her."¹⁵³

San Francisco Bay Area IWW member and Redwood Summer supporter Jess Grant declared, "(Bari and Cherney) were combining the labor issue and the environmental issue. That is why Judi and Darryl were so dangerous to the timber barons."¹⁵⁴

In fact, one of the reasons for scheduling the first major demonstration in Samoa was to draw attention to L-P's *anti-labor* practices and raw log exports as much as it was a statement against their logging to infinity (although many, including Bari, would argue that both were one and the same), Likewise, the targeting of Fort Bragg was to protest

¹⁴⁸ "Chico Mendes in the First World", by Alexander Cockburn, *Anderson Valley Advertiser*, June 6, 1990.

¹⁴⁹ "Terrorist Strikes Earth First!", by Alexander Cockburn, *Anderson Valley Advertiser*, May 30, 1990.

¹⁵⁰ Letter to the editor by Murray Bookchin, *Earth First! Journal*, Lughnasadh / August 1, 1990 and *Anderson Valley Advertiser*, September 19, 1990.

¹⁵¹ Taylor and McCormick, May 26, 1990, op. cit.

¹⁵² Pickett, June 21, 1990, op. cit.

¹⁵³ "Possible Labor Connection to Earth First! Bombing: Incident May Have Been Effort to Disrupt Budding Logger & Environmentalist Alliance", by Michele DeRanleau, *San Francisco Weekly*, June 6, 1990.

¹⁵⁴ "Activists Deny Carrying Bomb; Cherney Still in Jail with High Bail", *UPI Wire*, *Eureka Times-Standard*, May 26, 1990.

G-P's ongoing exploitation of its workers, whether through speedups, automation, or the company's still ongoing resistance to paying restitution to the workers injured in the PCB spill.¹⁵⁵

G-P spokesperson David Odgers grudgingly admitted publically the truth of this contention by stating, "(Bari) was successful in driving a wedge between the companies and the workers...she was trying to create dissatisfaction with the companies."¹⁵⁶ The only inaccuracy in Odgers' statement is that "Bari was trying to create dissatisfaction", when, in fact, it already existed on a widespread scale.

Even gyppo owners Art Harwood, and Bill Bailey agreed that Bari was at least willing to listen to what they had to say and sent Judi Bari sympathetic get-well messages in the wake of the bombing.¹⁵⁷ And Jerry Philbrick conceded that it didn't make sense that Bari and Cherney would be guilty, stating, "Oh, it makes sense that someone tried to whack her. I don't disregard that at all."¹⁵⁸

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Immediately following the arrests, Bari's and Cherney's supporters organized solidarity vigils in Arcata, Fort Bragg, Oakland, Potter Valley, Santa Rosa, and Ukiah. Over the weekend activists conducted steady vigils at the hospital and Oakland Police Station.¹⁵⁹ Mike Roselle declared, "We haven't been fired up like this in the ten-year history of Earth First!...We're not scared. We're going to redouble our efforts."¹⁶⁰ About 50 activists including George Shook and Kelpie Wilson attended a rally at the latter location at which supporters held signs reading, "Trees, Not Bombs"¹⁶¹, until it was dispersed by the Oakland Police ostensibly in response to complaints from local residents.¹⁶² The Arcata vigil drew 20 attendees.¹⁶³ Over 250 attended the Santa Rosa rally. Some carried signs blaming the FBI for the bombing and urged people to recall Sacco and Vanzetti, Karen Silkwood, and the all too numerous victims of COINTELPRO.¹⁶⁴

The vigil in Ukiah took place at the Ukiah County Courthouse and was attended by 100 demonstrators and supporters. Among those in attendance were Art and Becky Harwood, Jim Little, and Bill and Judith Bailey. Harwood and Bailey reiterated their

¹⁵⁵ "Bombing Spotlights Efforts to Link Labor, Environment", by Daphne Wysham, *Labor Notes*, August 1990.

¹⁵⁶ DeRanleau, June 6, 1990, op. cit.

¹⁵⁷ Bruce Anderson, June 13, 1990, op. cit.

¹⁵⁸ Philbrick and Dahl, May 30, 1990, op. cit.

¹⁵⁹ Richard Johnson, May 29, 1990, op. cit.

¹⁶⁰ "Earth First! is 'Not Scared'; Anti-logging Group Says Bomb was Planted, Won't Deter Efforts", by Elliot Diringer, *San Francisco Chronicle*, May 26, 1990.

¹⁶¹ "Activists Deny Carrying Bomb; Cherney Still in Jail with High Bail", *UPI Wire*, *Eureka Times-Standard*, May 26, 1990.

¹⁶² "Detective to Probe Bombing; Earth First! Pair Faces Arraignment", *UPI Wire*, *Eureka Times-Standard*, May 29, 1990

¹⁶³ "Area Activists Arrested for Blast; 2 Earth Members Suspected of Own Bomb", *Eureka Times-Standard*, May 25, 1990.

¹⁶⁴ "Nonviolence is Our Answer", by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

sympathy for Bari and Cherney and pledged their support for sustainable forestry, even if their view of it was somewhat different than that of many Earth First!ers.¹⁶⁵

Betty Ball reiterated that the charges against Bari and Cherney were “totally nonsensical,” and there was “absolutely no shred of evidence (against them).”¹⁶⁶

Don Lipmanson reminded everyone that not only had the organizers of Redwood Summer (including Bari and Cherney) renounced tree spiking, they had also renounced monkeywrenching as well, further stating, “While these have been accepted Earth First! tactics in the past, explosives never have been.”¹⁶⁷

Bruce Anderson, pointing to a plainclothes Mendocino County deputy videotaping the peaceful crowd, declared:

“Our side hasn’t committed a single act of violence, yet we’re under surveillance. They can bomb us, beat us, and put us in jail, but we’re not going to stop. Instead of hundreds of people we’re now going to have thousands this summer. I know Judi Bari and it’s not going to stop her.”¹⁶⁸

He added, “We will have the country’s media, and they’ll see what kind of place Mendocino County is.”¹⁶⁹

Walter Smith declared, “Judi’s not against the timber workers, she’s for them. She was the only one who spoke up for the timber workers at Georgia-Pacific when they were exposed to PCBs.”¹⁷⁰

MEC member Richard Johnson compared the bombing to FBI COINTELPRO operations that disrupted leftist organizations in the 1960s and 1970s, declaring, “Who’s behind it will come out, I’m quite sure, like Watergate.”¹⁷¹

Norm de Vall also denied that Bari and Cherney were guilty, stating, “They’re simply too smart (to have knowingly carried a bomb).”¹⁷²

Even Republican candidate Tim Stoen, who was challenging Doug Bosco for his congressional seat expressed his support for the victims. Even though he was not allowed to speak publically, due to his opposition to Redwood Summer, the man whose child had been murdered along with many other victims at the infamous Jonestown nevertheless defended Bari and Cherney.¹⁷³

¹⁶⁵ “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

¹⁶⁶ “Timber Activists Rally in Ukiah; Protesters Point to Police, FBI”, by Clark Mason, *Santa Rosa Press Democrat*, May 26, 1990.

¹⁶⁷ “‘Redwood Summer’ Not Dead; Vigils Bring Promises of New Anti-Logging Efforts”, by Lois O’Rourke, *Ukiah Daily Journal*, May 27, 1990.

¹⁶⁸ Mason, May 26, 1990, op. cit.

¹⁶⁹ O’Rourke and Michaud, May 25, 1990, op. cit.

¹⁷⁰ O’Rourke, May 27, 1990, op. cit.

¹⁷¹ Mason, May 26, 1990, op. cit.

¹⁷² O’Rourke, May 27, 1990, op. cit.

¹⁷³ Mason, May 26, 1990, op. cit.

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Earth First! – IWW Local #1 members Anna Marie Stenberg and Tom Cahill very quickly organized a rally and candlelight vigil in Fort Bragg. Stenberg spent at least 36 straight hours on the phone, some of it being interviewed on various local radio talk shows, to drum up support. About 250 people, including Jerry Philbrick, attended despite a light rain.¹⁷⁴ The rally had been originally planned to occur at the main gate of the G-P mill, but after Don Nelson publically condemned the idea, the location was moved to a more neutral site.¹⁷⁵ The demonstrators—some of them in tears—hugged and sang songs like *We Shall Overcome* and *Solidarity Forever*.¹⁷⁶ They prayed and lit candles. There was an open mike to allow the crowd to share their thoughts.¹⁷⁷ Stenberg reported on Bari's condition, her children, and the police activity around their house.

As was to be expected, a group of about a half dozen counter demonstrators rallied across the street. Fort Bragg logger Rex Smith held a sign reading "Save Our Jobs – Don't Support Earth First!" (even though Earth First! had done more in the past two years to advocate for the preservation of existing timber jobs as well as advocating for additional employment than anyone else).¹⁷⁸ In response to this, *New Settler Interview* owner and publisher Beth Bosk, herself a Redwood Summer supporter urged Philbrick to speak (since the latter coached Bosk's son in Little League ball). The gyppo owner, who was still unsure what to believe, created quite a stir when he spoke, stating:

"You've been telling us that we can trust these guys to be nonviolent. What's going on with this bomb?...What you've done is lost the trust we've had. But I want to tell you if somebody gets bombed up here or hurt by something, then about 150 people in your organization are going to eat it. And it's going to be the whole community, because they are going to jump them. They are not going to wait around anymore, they are not going to give you any more chances, because now you've got the normal person mad besides the logger. I'm not in fear for myself—it's my equipment I don't want to get damaged, and I don't want any of my employees getting hurt driving down the roads in their logging trucks either. But if any bombs go off up here, all hell's going to break loose."¹⁷⁹

Philbrick hadn't intended his statement to be taken as a threat, however. He was speaking from a place of genuine fear, in no small part due to the misinformation put

¹⁷⁴ "Hot Tubbin at Harry's: Anna Marie Stenberg", interview by Lynne Dahl, *New Settler Interview*, issue #54, December 1990.

¹⁷⁵ "Nonviolence is Our Answer", by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

¹⁷⁶ "G-P Mill on Redwood Summer Agenda: No Plant Blockade Planned, Activist Says", by Judy Nichols, *North Coast News*, June 7, 1990.

¹⁷⁷ Dahl, December 1990, op. cit.

¹⁷⁸ Nichols, June 7, 1990, op. cit.

¹⁷⁹ Philbrick and Dahl, May 30, 1990, op. cit.

forth by the FBI and parroted by the Corporate Press. He agreed, publically, that the corporations were as much to blame for the trial facing the timber industry as anyone. Stenberg was able to calm Philbrick down and get him to at least admit that Bari and Cherney were not likely suspects.¹⁸⁰ She recalled:

“I said, ‘Jerry, you sat next to that woman for two hours, the other night. She’s a mother with two kids and she was going down to see my son. Don’t tell me you believe that she put the bomb in her car and she sat on it?’

“You know how smart Judi is, maybe you don’t know how nonviolent she is, but you do know how smart she is. You don’t have to believe me, but at least keep your eyes and ears open and don’t believe the crap that’s on the media!’ We went on and on like this for 45 minutes.

“It ended with Jerry and I hugging and Jerry asking how to send flowers to Judi, would she accept them? ‘Of course she would,’ I said, ‘She’s in extreme pain right now, but when she wakes up and sees them it will make her heart feel good.’

“And then we planned the next timber talks in Willits.”¹⁸¹

Philbrick reiterate that while was no fan of Earth First!, he was even less enamored with Corporate Timber:

“I tried to tell them at (the) vigil...that they’re barking around the ankles and knees of the situation instead of the head and heart and that’s the corporation. I’ve been in favor of sustained yield. I’m considering my future and my son’s future and I want there to be some logging jobs here in 15 or 20 years.”¹⁸²

Indeed, the only violence that occurred at this rally was by a 17-year-old who threw an object at the crowd from a passing car, according to Fort Bragg Police Chief, Tom Bickell. For his part, the Chief called the bombing frightening, and added, “When I heard about it, I got a chill. Whoever put it there, the fact that there (were) explosives scares me.”¹⁸³

* * * * *

Supporters organized rallies outside of northwestern California as well. On May 25, 1990, Los Angeles Earth First!ers, led by Peter Bralver, organized *two* emergency protests. The first took place at noon at the west Los Angeles Federal Building, where the local FBI offices are located. 20 demonstrators gathered at the busy east corner of

¹⁸⁰ This can be seen in video footage, shown in *Cherney and Thompson, 2012, op. cit.*

¹⁸¹ Dahl, December 1990, *op. cit.*

¹⁸² Philbrick and Dahl, May 30, 1990, *op. cit.*

¹⁸³ Nichols, June 7, 1990, *op. cit.*

the Federal Building's lawn with banners denouncing the FBI. At least five TV stations and two radio news outlets covered the event. LA Earth First!ers showed the media a recent death threat that *they* had received, no doubt connected with those received by Redwood Summer organizers. After that, three Earth First!ers entered the building, passed the security guards unmolested, rode the elevator to the seventeenth floor, and entered the FBI offices, all of which the media covered. There the Earth First!ers stood their ground and told the FBI—with the media present—that they would not be deterred by intimidation by the powers that be. The Earth First!ers then marched a short distance to the local Maxxam offices and unfurled a banner that had been used to protest Maxxam's activities in the ritzy community of Rancho Mirage, California. The rallies were well received by passersby and drivers who honked in support.¹⁸⁴

In Santa Cruz, Lisa Henry and Zack Stenz hastily organized a rally in support of Bari and Cherney, and despite the difficult conditions and helter skelter of everything going on, it was well attended. Henry recounts:

“[T]here were all these news people there and everyone wanted to know what happened. People had come. The UCSC Organic Farmers' Garden asked if they could ship their entire harvest to Redwood Summer. An undercover cop came up and started asking me stuff about myself.

“He was the first one who said to us, ‘The FBI believes that they did it themselves.’

“And I was so outraged. I hadn't heard any news from any Earth First!ers, still, I knew they would never be carrying a bomb. It was a set up. I told him that. And it was nice to see that out in the news from the very get-go in Santa Cruz, without the AP stuff and the FBI bullshit getting into the news before we could have a say.

“The next days were just spent in a daze. I got kicked out of the house. I kept organizing vigils and my housemates just couldn't deal with my organizing.”

In spite of that, some of Henry's friends who had experience in other organizations, including CISPES, Lockheed Action Collective, and the Animal Liberation Front offered their support and even the use of their networks to help Lisa Henry continue her work organizing Redwood Summer.¹⁸⁵

Meanwhile, the Bay Area IWW issued the following statement:

“The IWW is appalled by the attempted murder yesterday of two of its members, Judi Bari and Darryl Cherney, and the FBI's subsequent effort to implicate them in the car bombing which left both of them hospitalized.

¹⁸⁴ “L.A. Earth First! Protests FBI & Maxxam”, by Peter Bralver, *Earth First! Journal*, Litha / June 21, 1990.

¹⁸⁵ Bosk, January 1991, op. cit.

“We believe that Judi and Darryl were targeted for this attack because of their effectiveness in organizing against the clearcutting of old-growth redwood in the Northwest. They had begun to organize timber workers into the IWW as part of their campaign to halt clearcutting, because it was becoming clear to everyone that when the trees were all gone, there would be no more jobs either. It was this ability to link the labor and environmental issues which made Judi and Darryl so dangerous to the timber barons, whose profiteering depends on the continuing antagonism between these two movements.

“We demand a fair and thorough investigation by the police of this deplorable attack, but we realize that only intense, constant pressure from the public can assure us of one. We must not allow this tragedy to be turned against the very community of activists who are its victims.”¹⁸⁶

Utah Phillips urged members of the IWW as well as former members to support and get involved in Redwood Summer, which he described as one of the most promising organizing efforts that the IWW had contributed to in years.¹⁸⁷ Anna Marie Stenberg echoed these sentiments, stating,

“I’d like to see the whole Union endorse the Redwood Summer actions, to make it an EF!-IWW joint project. If the IWW can’t do that, the Union should at least try to hold actions internationally (simultaneous with the major Redwood Summer demonstrations)...the other thing that local branches can do is to sponsor some of their members to come out here as organizers. We need to build a much stronger Wobbly presence here, and we need as many people as possible. We need to reinforce the labor consciousness here with more movement people who see that as their main concern, but yet also see the ecology as inseparable from their class consciousness. We need people who are serious, committed to the ideals of the IWW, and disciplined enough to work to achieve justice for the mill workers and lumber workers here.”¹⁸⁸

“The responsibility for this violence is on the shoulders of corporate America and their right hand, law enforcement agencies. Timber and millworkers are victims of this violence as much as activists are.”¹⁸⁹

¹⁸⁶ “Statement by the San Francisco Bay Area IWW”, reprinted in the *Industrial Worker*, July 1990.

¹⁸⁷ Letter to the IWW, by Utah Phillips, unpublished, courtesy of Allan Anger’s personal archives, June 6, 1990.

¹⁸⁸ “Wobblies Needed in Northern California”, Anna Marie Stenberg interviewed by Bart Williams, *Industrial Worker*, July 1990.

¹⁸⁹ “IWW Members Bari and Cherney Framed”, *Industrial Worker*, June 1990.

Stenberg urged members of the IWW to send Judi Bari cards and letters of encouragement, “full of humor and fun”.¹⁹⁰ Following Stenberg’s lead, the IWW’s General Secretary-Treasurer, Jeff Ditz issued the following statement:

“As the IWW General Secretary Treasurer, I express my deepest anger and regret over police and FBI actions against IWW members Judi Bari and Daryl Cherney. Bari and Cherney are two of the IWW’s best organizers; their presence at our last September’s IWW convention inspired all of us and deepened my own commitment to organizing. Their work at organizing workers on the shop floor and in their communities and building a coalition between workers and environmentalists is revolutionary unionism at its best.

“The IWW holds true to the established Wobbly principle that an injury to one is an injury to all! I am enraged at the injuries sustained by Bari and Cherney as a result of a bomb placed in their car and am deeply suspicious of federal government and lumber industry involvement in this attempt on their lives. Both are deeply nonviolent people, and I ask all Wobblies to come to the support of Bari and Cherney and to either attend the Redwood Summer actions, contribute to the Judi Bari defense fund, or sponsor local support actions across the country.”¹⁹¹

Back in Northwestern California, on May 26, Pam Davis and the would-be Earth First! – IWW Local 2 quickly cobbled together a rally in Santa Rosa at Old Courthouse Square. To a cheering crowd, Davis announced that several more groups, including Greenpeace, the Christic Institute, and the IWW had pledged their solidarity with the accused activists. The loudest cheer erupted when she announced that Amnesty International had even offered to look into the bombing and investigate the possibility that Bari and Cherney had been the victims of state repression. Additionally, four Sonoma County environmental groups, Citizens for Watershed Protection, the Forestville Citizens for Sensible Growth, the Western Sonoma County Rural Alliance, and Californians Organized to Acquire Access to State Tidelands (COAAST) issued a statement endorsing Redwood Summer. Lionel Gambill also pledged his support for Bari and Cherney, adding, “I used to think there were 100 issues. I finally decided it’s one issue with 100 faces. The issue is the abuse of power, and the violence that results from it. This is a worldwide problem, whether it’s Tiananmen Square, South Africa (under Apartheid), or Oakland.”¹⁹²

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¹⁹⁰ Williams, July 1990, op. cit.

¹⁹¹ “Statement by IWW General Secretary-Treasurer Jeff Ditz”, reprinted in the *Industrial Worker*, July 1990.

¹⁹² “Explosion Rippling Through Environmental Movement”, by Chris Smith, Santa Rosa Press Democrat, May 27, 1990.

On Monday, May 28, 1990, Darryl Cherney was bailed out, early in the morning well after most of the vigil in support for him (and Bari) had dispersed.¹⁹³ For reasons unexplained to this day, Cherney's shoes were not returned to him, forcing him to walk out of the Oakland Police station in bare feet.¹⁹⁴ Upon his release, he was immediately greeted by press. Without missing a beat, he declared:

“Certainly, our activism and our struggle to save ancient redwoods up north has left us with many people who are very angry with our successes at slowing down the logging...It feels terrific to be out and maybe we can move over to the hospital now and keep the vigil going for Judi Bari.”¹⁹⁵

On Tuesday, May 29, the judge held the first arraignment hearing, and it was at this time Alameda County assistant District Attorney Chris Carpenter admitted that no formal charges were being filed against Bari and Cherney, at least not yet.¹⁹⁶ Supporters, including Seeds of Peace members wore duct-tape arm bands in the courtroom in silent protest over the lack of probable cause.¹⁹⁷ The attorneys arranged for a continuance of the arraignment, which allowed Cherney to go free, at least temporarily (if this had not occurred, he could have been arrested and jailed again, despite having made bail).¹⁹⁸

Still the solidarity rallies continued. On Saturday, June 2, 1990, St. Louis IWW members, members of an organization called Workers Democracy, and Big River Earth First!ers held a rally for justice demanding an unbiased investigation into the bombing. Nearly forty demonstrators converged on the federal building chanting, “Things are really weird”, and “The FBI did it—don’t you forget it.” The theme of the rally was “No death squads in the USA,” a reference to COINTELPRO’s covert operations that had included assassinations and near assassinations of political dissidents (most notably 32 members of the Black Panther Party). In contrast, the rally-goers questioned the notion that two nonviolent activists would blow themselves up.¹⁹⁹

In early June, in Carbondale, Illinois, a group of Shawnee Earth First!ers held a press conference at the Federal Building located there, and then proceeded to the local FBI office. There they surrendered all “weapons” in their possession, which consisted of writing paper, stress tabs, aspirin, paint brushes, a telephone and phone book, a car tire, and a water pistol. The FBI was not present and made no comment.²⁰⁰ Throughout

¹⁹³ “Legal Update”, unpublished letter, by Kevin Trombold, June 18, 1990.

¹⁹⁴ “Questions for Congress to Ask the FBI”, *Mendocino Country Environmentalist*, August 1, 1990.

¹⁹⁵ *Cherney and Thompson, 2012, op. cit.*

¹⁹⁶ “Legal Update”, unpublished letter, by Kevin Trombold, June 18, 1990.

¹⁹⁷ Hemstreet, *op. cit.*

¹⁹⁸ “Legal Update”, unpublished letter, by Kevin Trombold, June 18, 1990.

¹⁹⁹ “Solidarity Forever: Wobs Rally to Support Judi Bari and Darryl Cherney”, by Orin Langelles and Martin St John, *Industrial Worker*, July 1990.

²⁰⁰ *Ibid* and “EF! Protests FBI Smear”, uncredited, *Earth First! Journal*, Litha / June 21, 1990. It’s evident that Langelles and St John wrote this article as well, because it matches the paragraph

the North Coast and beyond, none of Bari's and Cherney's supporters were willing to swallow the notion that they were guilty.²⁰¹ However the IWW was not alone among the union movement in condemning the bombing of Bari and Cherney.

Even though Don Nelson continued to refer to Bari and Cherney, as well as Roanne Withers and Anna Marie Stenberg as "elitist agitators" after the bombing,²⁰² these charges were rebutted by other union militants around the country.²⁰³ Demonstrating that Bari and Cherney *were* considered bonafide labor spokespeople, despite Don Nelson's rants to the contrary, several more progressive labor union officials drafted and signed the following resolution:

"We, the undersigned unionists, condemn the bombing assassination attempt against labor and environmental activists Judi Bari and Darryl Cherney. This act of terrorism is not only an attack on the environmental movement but on the labor movement as well. Judi Bari is a long-time labor organizer and environmentalist who has sought to link these two movements for the protection of both the ecosystem and workers' jobs. Bari and Cherney have fought to save the last remaining old-growth forests which the timber companies, in their quest for profits, have targeted for massive clearcutting before proposed forest protection initiatives are enacted, this Fall."

"Timber companies have sought to pit workers and environmentalists against one another. We believe Bari and Cherney have been targeted for violence and criminal prosecution because they have successfully demonstrated that the defense of timber workers jobs is dependent on the protection of the forests."

"We call on the entire labor movement to take a clear stand in solidarity with Judi Bari and Darryl Cherney. Their struggle is our struggle."²⁰⁴

describing the same incident in the *Industrial Worker* almost word-for-word. However this uncredited piece mentions a few additional "weapons" not listed in the first piece.

²⁰¹ Bruce Anderson, June 13, 1990, op. cit.

²⁰² "Earth First!ers = Elitist Agitators", by Don Nelson, *Labor Notes*, September 1990.

²⁰³ "Support for Environmentalists: a Response to Don Nelson", by Rich Meyers, *Labor Notes*, September 1990.

²⁰⁴ "Union Activists Support Judi and Darryl", by Janis Borchardt, Vice President, ATU local 1225; Barbara Byrd, Labor Studies Coordinator, San Francisco City College, and member AFT local 2121; Bill Fiori, President, UFCW local 1100; Jess Grant, SF Labor Council Delegate, ATU local 1555 and Bay Area IWW Secretary-Treasurer; Archie Green, Labor Historian; Dennis Hitchcock, editor of *Tradewinds*, IAM local 1781; Brian Lewis, President, UTU local 1730; Millie Phillips, member of the Executive Board of CLUW, member of IBEW local 1245; Marina Secchitano, Regional Director of IBU; David Welsh, Vice President, NALC local 214; Daphne Wysham, editor of *San Mateo County Labor*; Steve Zeltzer, Labor Video Project and Stationary Engineers local 39; Howard Wallace, Field Representative, SEIU local 250; and Jeff Ditz, General Secretary Treasurer, IWW, reprinted in the *Industrial Worker*, July 1990.

Judi Bari and Darryl Cherney also received support from the Sveriges Arbetares Centralorganisation (SAC)—the Swedish anarcho-syndicalist federation²⁰⁵; the Scottish Direct Action Movement (also a syndicalist organization)²⁰⁶; and the Anarchist Black Cross of Denmark.²⁰⁷

On June 7, while the first Redwood Summer rallies were beginning in Sacramento, the DA released Bari from legal custody, so she could receive visitors, but it also meant that she was unguarded by police, which was a problem, because someone had tried to assassinate her.²⁰⁸ Also, if Bari were arrested again, she could have been transferred back to the jail ward in Highland Hospital, where only one nurse was on duty, which would have put Bari's life in even worse danger than it already was. Redwood Summer organizers therefore made sure that she had round the clock security provided by friends and comrades.²⁰⁹

Although Judi Bari had been devastated by the bombing, both physically and emotionally, and no doubt still felt a great deal of fear and terror, her spirits were greatly bolstered by the overwhelming solidarity as well as the outpouring of support she received in the form of letters and poems as well as visitors. Karen Pickett was the first visitor able to finally gain admission to Bari's hospital room. She described Bari's resolve thusly:

“People ask how Judi's doing after I visit her in the hospital and I want to say she's doing great, but somehow that sounds strange to say about someone who has been in a great deal of pain and is immobilized in traction with a severely broken pelvis and damaged leg. But the concept of ‘doing great’ is relative, and I am so impressed with how this woman—this strong, vital and courageous woman—is coping with her injuries and with the horror of the attack on her: Judi would rather be working on a press release at base camp, out on the campaign trail, playing her fiddle at a rally, instead of lying in a hospital bed while her body's forces mend her bones, nerves, tissues. But I think she is doing great because from her prone position she has been strategizing, philosophizing, laughing, singing and even playing music. Judi still has several weeks of traction ahead of her (8 weeks in all) and then additional recovery time, but she is getting stronger and better every day. Since being released from police custody pending the district attorney's decision on the filing of charges, she has had private 24 hour a day security, and close friends have been able to visit her.”²¹⁰

²⁰⁵ “Solidarity from the SAC”, letter to the editor, *Industrial Worker*, July 1990.

²⁰⁶ “Scottish Direct Action Movement” letter to the editor, *Industrial Worker*, September 1990.

²⁰⁷ “Anarchist Black Cross, Denmark”, letter to the editor, *Industrial Worker*, September 1990.

²⁰⁸ “Legal Update”, unpublished letter, by Kevin Trombold, June 18, 1990.

²⁰⁹ Bruce Anderson, June 13, 1990, op. cit.

²¹⁰ Pickett, June 21, 1990, op. cit.

On June 6, 1990, in an interview conducted by KPFA FM, (in a very groggy state) Bari thanked her supporters, stating:

“Thank you to all the Earth First!ers and peace people and movement people in general for this tremendous outpouring of concern and support. It really makes me feel better knowing that you all are down there, and knowing that I’m not alone and we’re not alone. That’s something we’ve always felt in Earth First! that we are a movement. I think it’s important for us to remember where the real violence is being done. The real violence is being done to the forest, not as much as to the organizers. I hope that this will not deter people from coming this summer to save the redwood forest, because terrorism is a horrible tactic, and we know that the timber companies will use it. But terrorism cannot stand up to mass nonviolence. To be very nonviolent and very public—that’s the only way we can win. We can’t wait another year—this is our last year. So please come to the forest this summer and as soon as I’m out of here I’ll be there with you.”²¹¹

She had survived an assassination attempt, and yet there was little doubt that, in spite of her brush with death, Judi Bari would live to organize another day.

²¹¹ “Press Statement of Judi Bari: From an Interview Given on KPFA FM”, reprinted in the *Anderson Valley Advertiser*, June 6, 1990.

37. Who Bombed Judi Bari?

*Now Judi Bari is the mother of two children,
A pipe bomb went ripping through her womb,
She cries in pain at night time,
In her Willits cabin room;
FBI is back again with COINTELPRO,
Richard Held is the man they know they trust,
With Lieutenant Sims his henchman,
It's a world of boom and bust;
But we'll answer with non-violence,
For seeking justice is our plan,
And we'll avenge our wounded comrade,
As we defend the ravaged land...*

—lyrics excerpted from *Who Bombed Judi Bari*, by Darryl Cherney, 1990.

Redwood Summer began and moved forward more or less as planned—in spite of all that happened surrounding the bombing—and Bari and Cherney were not charged and eventually freed. Yet organizers and supporters of Redwood Summer were left wondering who the bomber was, and if they were part of a well organized plot, either by right wing fanatics, Corporate Timber, the FBI, or a combination of all of them. Gary Ball admonished everyone not to jump to conclusions about who planted the bomb, stating, “We’re not getting into conspiracy theories at this point. We’re saying that the police have made an obvious mistake and that they need to do a real investigation to find the criminal who planted that bomb and who is still on the loose.”¹ Although many supporters of Redwood Summer were convinced that the bombing was a conspiracy, there were enough people in Mendocino County reactionary and crazy enough to have acted alone, and the county had a long tradition of such lunatics. As Rob Anderson described it:

“What outsiders (and many insiders, for that matter)—members of the media, politicians, FBI agents, etc.—don’t understand about Mendocino County is its peculiar hothouse political atmosphere—a combination of poor law enforcement, obtuse political leadership, cowboy capitalism, and

¹ “Activists Bombed, Busted”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

religious extremism. In this atmosphere, all kinds of twisted and malignant creatures flourish. In fact, at various times, Jim Jones, Charles Manson, Leonard Lake, Tree Frog Johnson, and Kenneth Parnell have all lived and flourished in Mendoland.”²

Judi Bari herself had agreed that “Mendocino County, as we all know, is known as the largest outpatient ward in America and we who live there are completely used to this stuff...”³

Indeed, one week after the bombing, an anonymous letter writer, calling himself (or herself) “The Lord’s Avenger” wrote a letter to the *Santa Rosa Press Democrat* full of Biblical quotations claiming credit for planting the bomb.⁴ On the surface, it was entirely plausible that the bombing was motivated by Christian Fundamentalist anger towards Judi Bari, because of her stances on abortion. It is unlikely, however, that this issue was the primary reason for the bombing—since Bari had been far more vocal about timber and labor issues.⁵ There *was* a strong Christian Fundamentalist streak particularly among the most reactionary representatives of the US Forest Service as well as the least enlightened (and most rapacious) gyppos.⁶ Misogyny was no doubt embedded in the bundle of reasons for targeting Bari as well, evidenced by the fact that one of her death threats described her (and her fellow women) as “whores”, “lesbians”, and “members of NOW”.⁷ Yet, as will be demonstrated, the *Lord’s Avenger* letter was more than likely a false lead.

There was also some wild speculation that Darryl Cherney might have planted the bomb *himself* (unknownst to Bari) out of resentment because of their recent breakup as romantic couple, but this theory falls to pieces on the prima facie evidence alone.⁸ According to the FBI’s own ballistics evidence, the bomb had a switch, timer, and motion sensor, which meant that it was designed to detonate while the car was in

² “Who Bombed Judi and Darryl”, by Rob Anderson, *Anderson Valley Advertiser*, June 6, 1990.

³ “Some People Just Don’t Get It”, Judi Bari interviewed by Bruce Anderson, *Anderson Valley Advertiser*, June 13, 1990.

⁴ “Pipe Bomb Blast Claim Sent to Paper”, *Oakland Tribune*, May 31, 1990; “‘I Built Bomb,’ Letter Says; Anonymous Writer Takes Credit for Earth First! Mill Blasts”, by Chris Coursey, Randi Rossman, and Mike Geniella, *Santa Rosa Press Democrat*, May 31, 1990; “Letter Writer Claims Credit for Car Bomb”, *AP Wire*, *Ukiah Daily Journal*, May 31, 1990; “Note Muddies Oakland Bombing Case”, by Elliot Diringer and Sharon McCormick, *San Francisco Chronicle*, June 1, 1990; “Letter Widens FBI Probe; Writer Had ‘Good Knowledge’ of two Bombs”, by Chris Coursey and Mike Geniella, *Santa Rosa Press Democrat*, June 1, 1990; and “‘Avenger’ Throws Curve in Bombing”, by Keith Michaud, *Ukiah Daily Journal*, June 1, 1990. The complete text of the letter appears in the July 25, 1990 edition of the *Anderson Valley Advertiser*.

⁵ “Judi & Darryl Still Fighting Despite Bomb Damage”, by Karen Pickett, *Earth First! Journal*, Litha / June 21, 1990.

⁶ “Timber’s Holy War: Jerry Falwell meets Paul Bunyan”, by Darryl Cherney, *Country Activist*, August 1988.

⁷ “The Feminization of Earth First!”, by Judi Bari, *Ms. Magazine*, May 1992.

⁸ “Redwood Summer Bombing: Evil Police Smear”, by Richard Johnson, *Mendocino Country Environmentalist*, June 15, 1990.

motion during a specific time. It is just as ridiculous to think that Cherney would have knowingly consented to ride in a car containing a live bomb, which he had supposedly armed and positioned, for the purposes of revenge as it is to think that Bari and Cherney would have done so for the purposes of terrorism. In any case, Cherney, who was not mechanically inclined, was not capable of constructing such a device.⁹ As Bari related to Bruce Anderson:

“Darryl, first of all, has some of the least mechanical skills of anyone I’ve ever known. I once tried to hire him to hang sheet rock and found him to be unemployable, because he didn’t know how to hammer. And, secondly, whatever else I know about Darryl—Darryl and I have been broken up as a romantic couple for several months now but I love Darryl and Darryl loves me, and there is no question in my mind that Darryl would never, ever do such a thing.”¹⁰

Veterans of the environmental movement who also had prior involvement with organizations that had been subject to COINTELPRO and COINTELPRO-like infiltration suspected foul play.¹¹ Dave Foreman, who spoke from first-hand experience, was convinced that it was, and noted the similarities between the bombing of Bari and Cherney and his own legal entanglement over the Arizona 5 case.¹² Certainly, the FBI and corporate timber had several motives. These included:

“Providing police an excuse to search homes and offices associated with the environmental movement in Mendocino County and the Bay Area, removing two of the most high-profile organizers challenging corporate power in California, and contaminating the public image—not only of Redwood Summer, but also of (*Forest Forever*) and the environmental movement in general with the stigma of violence and lawlessness.”¹³

Four attorneys from Humboldt and Mendocino Counties, Rodney Jones, David Nelson, Steven J. Antler, and Ron Sinoway, calling themselves Northern California Lawyers for an Unbiased Investigation accused the Oakland Police and FBI of incompetence and prejudice against Bari and Cherney.¹⁴ They issued a white paper called “A Position Statement and Legal Evaluation of the Bari-Cherney Car Bombing, which exposed the countless weaknesses in the state’s case against the two. The statement made a convincing case that the bombing was, in fact, a sophisticated plan by the

⁹ Bruce Anderson, June 13, 1990, op. cit.

¹⁰ Bruce Anderson, June 13, 1990, op. cit.

¹¹ “Plot”, Johnson, May 29, 1990, op. cit.

¹² “First! Founder Warns of Plot”, by Mike Geniella, *Santa Rosa Press Democrat*, May 27, 1990.

¹³ “Plot”, Johnson, May 29, 1990, op. cit.

¹⁴ “Media Watch”, by Bruce Anderson, *Anderson Valley Advertiser*, June 6, 1990.

opponents of Redwood Summer to undermine it, perhaps with the complicity of law enforcement agencies.¹⁵

* * * * *

In spite of all the accusations, the Oakland Police's and FBI's case against Bari and Cherney, had been nonexistent. If anything—as farfetched and disturbing as the notion might seem to “Middle America”—the bombing *indeed* had all the earmarks of a COINTELPRO “black operation” much like the well documented FBI sting operation against the Arizona 5.

To begin with, FBI Special Agent Richard W. Held was the man in charge of the overall investigation: Richard Held was practically the FBI's director of COINTELPRO activity. Bari explained:

“Richard W. Held the head of the San Francisco FBI and a spokesperson for the investigation against me, is best known for his work with COINTELPRO. This program of FBI covert operations was formally suspended in 1971 after Congressional investigations and media exposes revealed the crimes the FBI engaged in to discredit and disrupt legitimate movements for social change in this country. This included a 10-year secret war against Dr. Martin Luther King and outright assassinations of members of the Black Panther Party and American Indian Movement.

Richard, W Held's personal involvement in COINTELPRO included the orchestration of a dirty tricks campaign against the Los Angeles branch of the Black Panthers; Held also directed a campaign against Puerto Rican Independentistas involving warrantless searches and seizures of private property and the assassination of two of the leaders. He was involved with his father Richard G. Held in the reign of terror at Pine Ridge, South Dakota in 1975, in which American Indian Movement members [including Leonard Peltier] were framed and murdered.

“Although COINTELPRO was formally suspended, a former agent, Wesley Swearingen, has testified that its activities have continued without the acronym.”¹⁶

The more than 45 death threats, the fake press releases, the subterfuge by Candy Boak and Mothers Watch, the right wing anti-Earth First! terrorist organizations (such as the Sahara Club), and the picture of Bari with the riflescope all matched similar types of well documented disruption of the American Indian Movement, the Black

¹⁵ “Call for Independent Investigation”, by Rod Jones, *Country Activist*, June 1990.

¹⁶ “The COINTELPRO Plot That Failed”, by Judi Bari, *Anderson Valley Advertiser*, August 22, 1990; a similar, but shorter version appeared in the *New York Times* (“For the FBI, back to Political Sabotage”), August 23, 1990; and the *Santa Rosa Press Democrat*, (“The FBI Has Returned to Political Sabotage”), August 24, 1990. For Swearingen's account, see *FBI Secrets, an Agent's Exposé*, Wesley Swearingen, Woods Hole, MA., South End Press, 1995.

Panthers, the Socialist Workers Party, CISPES, and more.¹⁷ The now much maligned Ward Churchill who has done extensive research and written much about COINTELPRO was convinced that the bombing most certainly fit the pattern of an FBI black operation.¹⁸

The use of bombs by the FBI to discredit radicals was not without precedent either. At least two other cases exist. One took place in Seattle, in 1970 but failed when the agent provocateur rebelled and revealed the nature of the plot. The other eerily paralleled the Bari and Cherney bombing, except that it claimed the life of its target, Student Nonviolent Coordinating Committee leader Ralph Featherstone on March 9, 1970. (SNCC had been a COINTELPRO target since 1967).¹⁹ The connections to the original Mississippi Summer evidently extended far beyond the names. FBI spokesman Duke Diedrich denounced all of the speculation that Corporate Timber, the Oakland Police, and the FBI had willingly conspired to bomb Bari and Cherney as “irresponsible and moronic,” adding, “We categorically deny that. I don’t think there’s any evidence of FBI involvement. If there is, we encourage people to bring it to us.”²⁰ In fact, the evidence of an FBI and Corporate Timber conspiracy is *beyond* plentiful.

For one thing, the timing of the FBI’s quick arrival at the bombing site, in fact their very presence there at all, was highly suspect. At the time, the FBI office was in San Francisco, too far away for their agents to have been deployed (even at 11:55 AM on a weekday) to a location fairly deep into the Oakland foothills. Indeed, they arrived a full *fifteen minutes* before the first Oakland Police officers, who *did* have jurisdiction in this case. According to one of Judi Bari’s lawyers, “The FBI was there in a thrice, almost as if they’d been standing around the corner holding their ears.”²¹ Agent McKinley, the first FBI agent to show up claimed in his report that he had just happened to have been, “driving through Oakland on (his) lunch hour, looking for an apron for (his) child to use in a school play, when (he) *heard on the radio* (that) this explosion had taken place, and (he) went over to see what was going on.” That a radio broadcast would have been made *that soon* describing the scene in enough detail for McKinley to have known exactly where to go *that quickly* is highly suspect in and of itself. His story about searching for the apron is equally dubious.²²

McKinley’s report is inconsistent with what the other FBI agents told the Oakland Police when they finally appeared fifteen minutes later. They reportedly told the local law enforcement (when they finally arrived) that they had received a tip from a woman

¹⁷ “Stop FBI Repression!: The Historical Context to Recent Bomb Charges Against California Earth First! Activists, by Michael Robinson and Jim Vander Wall” *Industrial Worker*, July 1990.

¹⁸ “Earth First! and COINTELPRO”, by Leslie Hemstreet, *Z Magazine*, July / August 1990.

¹⁹ “The Judi Bari Bombing Revisited: Big Timber, Public Relations, and the FBI”, by Nicholas Wilson, *Albion Monitor*, May 28, 1999.

²⁰ “Police Hold Earth First! Pair in Blast”, by Mark A. Stein, *Los Angeles Times*, May 26, 1990.

²¹ May 24, 1990: The Bombing”, speech given by Judi Bari at Humboldt State University, Arcata, CA., April 18, 1996, featured on the album *Who Bombed Judi Bari?*, edited by Darryl Cherney, 1997.

²² “Who Bombed Judi Bari?”, Judi Bari interviewed by Beth Bosk, *New Settler Interview*, Issue #89, January 1995.

“a secret informant, a woman close to the leaders Earth First!” (later identified as Linda Hall²³) that “some heavies from up north” were headed to Santa Cruz for some sort of “action.” While this statement may have been true, if accurate, there was nothing in it that specifically mentioned a bomb or violence, and yet the Oakland Police accepted this description as if it explained the situation at hand.²⁴ Bari elaborated on the series of events years later (after deposing several of the officers and agents involved in the arrest):

“Normally, a car-bombing in Oakland would fall under the jurisdiction of the (BATF), not the FBI. So it was uncanny how fast the FBI arrived on the scene when the bomb went off in my car. The bomb exploded at 11:55 AM. According to his written log, Oakland Police Sgt. Sitterud, one of the first responding officers, got there at 12:20. Sitterud has testified that, by the time he got there, some FBI agents were *already* on the scene and more were arriving, until soon there were 12 to 15 FBI agents there. In addition, Oakland Police Sgt. Paniagua, who was assigned to the hospital where Darryl and I were taken, stated that there were 4 or 5 FBI agents there as well.

“At the scene, a discussion was held between the Oakland Police, the FBI, and the lone ATF agent who had shown up, to decide who would take the case. The discussion, according to Oakland Lt. Sims, was over whether Earth First! was listed on the FBI’s official list of domestic terrorist groups. If EF! was not a terrorist group, or if Darryl and I were not the bombers, the case should have gone to ATF. These days, the FBI claims that they did not and do not consider EF! a terrorist group, and that they had never even heard of Darryl and me before the bombing. Yet the Oakland Police have testified that the FBI briefed them on me, Darryl, and EF! as soon as they arrived on the scene, before they even looked at the car. ‘They said that these were the type of individuals who would be involved in transporting explosives,’ testified Sgt. Sitterud. ‘They said that these people, in fact, qualified as terrorists.’ Ten minutes after he arrived on the scene, based on the information he got from the FBI, Sgt. Sitterud made an entry in his police log describing Darryl and me as ‘apparent radical activists with recent arrest for illegal demonstration on Golden Gate Bridge,’ and as ‘Earth First leaders suspected of Santa Cruz power pole sabotage, linked with federal case of attempted destruction of nuclear power plant lines in Arizona.’²⁵

²³ Sweeney, Mike, www.colemanhoax.info, in reference to Coleman, op. cit., page 172.

²⁴ Harris, David, *The Last Stand: The War between Wall Street and Main Street over California’s Ancient Redwoods*, New York, NY, Random House, 1995, Page 327.

²⁵ “FBI Bomb School and Other Atrocities”, by Judi Bari, *Anderson Valley Advertiser*, October 19, 1994. Emphasis added.

Recall that right around the same time that the Santa Cruz County power lines were sabotaged, the Oakland Police showed up on the Golden Gate Bridge—far out of their normal jurisdiction—to search Darryl Cherney’s backpack without a warrant.²⁶ Bari had no involvement in this action; indeed she had boycotted it, arguing that it was far too much effort for such a small potential payoff. There was no evidence linking the sabotage of the power poles to Earth First! (other than corporate media speculation and guilt by association).²⁷ Furthermore, the Santa Cruz County saboteur used handsaws and a cold chisel.²⁸ The notion that explosives had been used *at all* was simply an invention by the FBI and Oakland Police. However there is an all too eerie reflection of FBI infiltrator Michael Fain’s attempts to get the Arizona Earth First! activists and their supporters to use explosives and the choice of power lines as a target. The FBI would later publically declare that there was no connection between any of these incidents or the entrapment of activists in the Arizona Five case, but deeper investigations by Judi Bari and others proved otherwise:

“The FBI claimed that the Arizona EF! case had nothing to do with us. We claim that the case is key to ours, because it shows that, at the time of the bombing, Earth First! was an active target of an FBI COINTELPRO operation designed (in the classic words of J. Edgar Hoover) to misdirect, discredit, and neutralize us.

Even more important, the FBI’s plan in Arizona was to misdirect and discredit EF! by associating us with explosives. The FBI’s code name for the Arizona EF! case was ‘Thermcon,’ an acronym for Thermite Conspiracy. This name is very revealing of the FBI’s motives, since there was no thermite, or any other explosive, used in any EF! action, ever. But, as shown in the file, the two provocateurs spent years telling the EF!ers they could get them thermite, and trying to convince them to use thermite.

Eventually the FBI had to settle for getting the activists to cut down the power pole with an acetylene torch, as they were unable to convince them to use explosives. But it is important to note that Operation Thermcon did not consist of the FBI infiltrating EF! to break up a thermite conspiracy. It consisted of the FBI using provocateurs to infiltrate EF! and try to *create* a thermite conspiracy for them to bust. It is in the context of this ongoing COINTELPRO operation against EF!—this attempt to discredit us by

²⁶ “The Earth First! Car Bombing”, by Judi Bari, *Earth First! Journal*, Brigid / February 2, 1990.

²⁷ For example, see “Pipe Bomb Blast: 2 Earth First! People Injured; Car Destroyed – Injured Activists are Organizers of Summerlong Protests”, by Judy Ronnigen and Paul Grabowicz, *Oakland Tribune*, May 25, 1990, where the FBI repeats the lie that Earth First! was attempting to sabotage power lines in Arizona, but conveniently omits the fact that the entire operation was an FBI set up from the get-go!

²⁸ Bosk, January 1995, op. cit.

linking us with explosives—that the FBI terrorist squad moved in after I was bombed in Oakland and declared Darryl and me to be the bombers.²⁹

Bari and Cherney would later discover (after much foot dragging by the FBI to reveal the documents proving it) that some of the same FBI terrorist squad agents assigned to their case had also worked on the Arizona 5 case, thus demonstrating the agency’s claim that there had been no connection was a complete lie.³⁰

* * * * *

Furthermore, the construction of the bomb itself ruled out its being used for anything but anti-personnel purposes, namely an assassination attempt on Bari’s (and Cherney’s) lives. According to Bari,

“David R. Williams is one of the FBI’s six top bomb experts in the country...Williams considered the bomb complex, but well-designed and assembled with good craftsmanship. The bomb itself was an 11’x 2’ pipe wrapped with finishing nails for shrapnel effect. The triggering device consisted of a wind-up pocket watch with the minute-hand broken off, with a screw drilled into the clock face connected to a wire, so that when the hour hand moved around and made contact with the screw it would complete a circuit. But the clock itself did not trigger the bomb. It was merely a delay mechanism to allow the bomber to safely get out of the way. The real trigger was a motion device, consisting of a half-inch diameter ball bearing, which had to roll to connect two looped wires and complete a circuit. In other words, the bomb was triggered by the motion of my car.

The presence of the ball bearing, according to Williams, meant that the bomb was a booby trap device. SA Frank Doyle and the other bomb technicians at the scene certainly knew this, because they found the ball bearing and one of the looped wires among the bomb debris. But you sure never heard anything about the motion device in any of the press accounts that were leaked out by police sources back then. It is also interesting to note that, on my original arrest warrant, I was first charged with violating code section 12355(b), which is possession of a booby trap device. This was crossed out, and in its place is written code 123032, possession of an explosive device. The Oakland Police have testified that this was a clerical error.

Besides the clock and motion device, the bomb also contained a light switch as an overall safety mechanism. So in order for the bomb to explode, the

²⁹ “Bombing Case Update”, by Judi Bari, *Redwood Summer Justice Project Newsletter*, November 1996, also available at www.judibari.org/updateNov96.html. The emphasis is in the original. This is the last update on the bombing case written by Judi Bari before her death on March 2, 1997.

³⁰ “The Judi Bari Bombing Revisited: Big Timber, Public Relations, and the FBI”, by Nicholas Wilson, *Albion Monitor*, May 28, 1999.

light switch had to be turned to *on*, the clock had to be wound and tick down until it made contact with the screw, and the ball bearing had to roll and connect the wires. The assumption behind the arrest of Darryl and me is that we were knowingly transporting this bomb when it accidentally exploded. But SSA Williams disagrees. 'I believe that it functioned as designed,' he told us. 'I believe the ball bearing made the circuitry complete.'³¹

Such a bomb could scarcely have been used to bring down a metal high voltage power pole, and a motion device would make no sense for such purposes. Even if it *had* been placed in the car by Bari and Cherney there is absolutely no reason for them to have armed it, and such a complex, three-part arming mechanism could not have been set by accident.

* * * * *

Another suspicious accusation of the FBI's is their identification of where the bomb had been placed in Bari's vehicle. According to Frank Doyle, the pair were presumed guilty, and must have known the bomb was in the car, because it had been reportedly placed on the floorboards of the car's left, rear passenger compartment in plain sight. The evidence clearly shows this not to be the case. To begin with, initial reports by police officers and one fire fighter placed the location of the bomb under the *driver's* seat.³² In fact, the very first Oakland Police officer, Gribi, to arrive declared, "I am now photographing the car; I am photographing the damage *under the driver's seat*." This testimony was contradicted by Oakland Police Sergeant Sitterud who arrived ten minutes later and described the bomb's location in *his* report as having been in the rear passenger compartment. However it was apparent that he made this declaration only after Frank Doyle told him where the bomb supposedly was. Sitterud testified, "I viewed the white Subaru along with an agent of the FBI, Frank Doyle. *Frank Doyle told me that the bomb was on the back seat floorboards*."³³ In fact several officers testified that Doyle had argued with them when they questioned the latter on the location of the bomb, declaring, "I've been looking at bomb scenes for 20 years and I'm looking at this one, and I'm telling you, you can rely on it. This bomb was visible to the people who loaded the back seat of this car."³⁴

The police and FBI also claimed that the bomb could not have been hidden under the driver's seat, because such a bomb would not fit there, however Redwood Summer organizers demonstrated, at a July 5, 1990 press conference, that this assertion was

³¹ Bari, October 19, 1994, op. cit.

³² "Area Activists Arrested for Blast; 2 Earth Members Suspected of Own Bomb", *Eureka Times-Standard*, May 25, 1990.

³³ *Who Bombed Judi Bari?*, film by Darryl Cherney and Mary Liz Thompson, 2012. Emphasis added.

³⁴ Nicholas Wilson, May 28, 1999, op. cit.

false by easily placing a mockup of the bomb, in this case a section of pipe *twelve* inches long and two inches in diameter, under the driver's seat of an identical vehicle.³⁵

Furthermore, the nature of Bari's wounds rule out the FBI's claim. Her injuries resulting from the explosion—four breaks in her pelvis, a smashed sacrum, a crushed coccyx bone, and a deep puncture wound in her buttocks where she was impaled by a spring from her car seat, all the way to the bone—could not have resulted from a blast from the rear floorboard and were entirely consistent with the concealment of the bomb under her driver's seat.³⁶ She also suffered injuries to her right leg and internal soft tissue damage, but not a scratch on her back in stark contradiction with what one would have expected to find had the bomb been placed on the vehicle's left rear passenger floorboards.³⁷

The effects of the bomb on the *contents* located in the back seat of the vehicle also rule out Doyle's placement of the bomb. The agent had speculated that Bari had placed her guitar on top of the device, thus proving that she knew it was there, but the guitar case survived the explosion intact, lacking any blast residue or any bomb parts embedded in it.³⁸ Even more curiously, Bari had loaded her childhood violin near the guitar, and it suffered almost no damage at all, except for a crack in the f-holes. Sensing, perhaps, that this intact fiddle discredited their own charges, the FBI has to this day refused to return it.³⁹

Furthermore, the forensic evidence of the blast damage to the vehicle *itself* clearly shows that the bomb could not have been located where Doyle said it was. The attempts by Bari's legal team to acquire this evidence were by no means easy. They were denied access to the vehicle by Alameda County Superior Court Judge Henry Ramsey until June 15.⁴⁰ By that time the Oakland police had dismantled the damaged Subaru, including the seats and the floorpan, and they removed all of the movable property (which they tagged as evidence).⁴¹ Even then, the Bari's legal team had to seek a TRO from Ramsey to prevent the Oakland Police from leaving what was left of the vehicle from being exposed to the elements.⁴² Luckily the Police had taken photographs

³⁵ "Redwood Summer Bombing: Police Framing, Not Investigating", by Richard Johnson, *Mendocino Country Environmentalist*, July 1, 1990.

³⁶ Richard Johnson, July 1, 1990, op. cit. and "Bombing Suspects Framed, Claim Ukiah Activists: Cite Medical Evidence", by Keith Michaud, *Ukiah Daily Journal*, July 4, 1990.

³⁷ Richard Johnson, July 1, 1990, op. cit.

³⁸ Bari, October 19, 1994, op. cit.

³⁹ "The FBI Stole My Fiddle" speech (and song) given by Judi Bari at Humboldt State University, Arcata, CA., April 18, 1996, featured on the album *Who Bombed Judi Bari?*, edited by Darryl Cherney, 1997. Bari and Cherney wrote a humorous song (complete with suggestive double entendres) by the same name which at the same time exposes the FBI's not even remotely believable reasoning for seizing and hiding the fiddle and makes light of Bari's injuries and their location.

⁴⁰ "Tuesday Briefing: Earth First! Denied Access to Bombed Car", *Eureka Times-Standard*, June 12, 1990. The *Times-Standard* accurately reported that the bomb had been placed under the driver's seat.

⁴¹ "Congress to Probe FBI", by Richard Johnson, *Mendocino Country Environmentalist*, August 1, 1990.

⁴² Richard Johnson, June 15, 1990, op. cit.

and these would eventually prove sufficiently damaging to the FBI's case against the victims. Even still, it took several years to acquire them. The photographs confirmed what Bari and her legal team had suspected all along:

“...Frank Doyle, 20-year veteran bomb expert with the (aptly named) FBI Terrorist Squad, had taken over examining my car and directing the collection of evidence. The damage was obvious. A hole was blown in the driver's seat Oakland Police Lt. Sims testified that he could see right through it to the street below and the car frame was buckled directly under it. The back seat, in contrast, was virtually unscathed. When they unbolted the front seat and removed it from the car, there was a 2'x4' blast hole in the floor, with the metal curled back from an obvious epicenter under the driver's seat. Any honest observer would have concluded that the bomb had been hidden under my seat and this was a case of attempted murder.

“But Special Agent Doyle had other ideas. In defiance of all the evidence, he claimed that the bomb was located in clear view on the back seat floorboard.⁴³

In fact, Doyle had testified, “I base my statement *on my observation* of a large hole in the *backseat* floorboard.”⁴⁴ Yet this was in clear contradiction of the visual evidence.

Finally, the FBI's *own lab analysis* of the hole in the floor of Bari's car also corroborated the photographic evidence.⁴⁵ According to the forensic tests, the device had been attached to a piece of plywood, just the right size to fit under the driver's seat, so that it wouldn't inadvertently move while the vehicle was in motion. Furthermore, the bomb had been covered with a blue piece of cloth so that it was hidden from Bari's and Cherney's view. Fragments of this blue cotton fabric had been found in Bari's back following the explosion.⁴⁶ The pipe that housed the bomb had end caps which blew off and made impact points on the right beside the gearshift, and on the left beside the front left (driver's) door.⁴⁷ Given all of these facts, the bomb *must* have been located under the driver's seat, but the FBI's and Oakland Police's case against Bari and Cherney depended heavily on the bomb having been located on the backseat floorboards.

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Additionally a further unsolved mystery of a second, almost identical bomb offers further clues to what happened. An incident occurred prior to the bombing, on May 9, 1990, at the Louisiana-Pacific mill in Cloverdale—the very same facility where George

⁴³ Bari, October 19, 1994, op. cit.

⁴⁴ *Cherney and Thompson, 2013, op. cit.*

⁴⁵ Bari, February 2, 1994, op. cit.

⁴⁶ Harris, op. cit., page 329.

⁴⁷ Bosk, January 1995, op. cit.

Alexander was injured—that received little press coverage at the time.⁴⁸ A pipe bomb matching the exact configuration of the bomb that injured Bari and Cherney, sans motion device, partially exploded outside of the office of the mill at about 8 AM on the morning of the 9th, causing approximately \$2,000 damage to the building’s exterior.⁴⁹ Nobody claimed responsibility for the bomb, nor was anybody injured. A sign was found on the mill property that read “L-P screws millworkers.”⁵⁰ No connection between the sign and the bomb was ever proven, even though the FBI and police had plenty of chances to investigate the possibility. Reportedly they even declined to trace the fingerprints found on the sign let alone match it to either Bari or Cherney.⁵¹ The incident was largely ignored until the two were bombed, at which point this bomb was cited as evidence supporting their guilt.

As of 2013, the FBI possessed this bomb in its evidence file. The bureau attempted to destroy it in 2010, but they were prevented from doing so by Darryl Cherney’s legal team.⁵² Bari’s account of the Cloverdale bomb suggested why the FBI wished to destroy it:

“This bomb turned out to have the identical construction of the bomb in my car, absent the motion device. It had the timer, it had the same kind of colors of wires, it had the same solder—the (FBI) tested the solder; it was from the same tube of solder. They tested the tape; it was from the same roll of tape. It was made from identical components, and this bomb at the Cloverdale L-P mill, instead of being attached to a motion device and placed in a car, it was attached to a can of gasoline: it was an incendiary bomb, and its supposed intention was to light the gasoline and burn down the mill. Placed nearby—and this is a strange thing for somebody who intended to burn down a mill—was a cardboard sign that said: ‘L-P Screws Millworkers’.

“The bomb partially exploded—in fact, it barely exploded: it exploded just enough to pop off the end cap...and it dented the can. But it didn’t explode the gas can and it didn’t burn down the mill. So what it left them with was an intact model of the bomb in my car. That’s what was left. This happened two weeks after the bomb school and two weeks before the bomb exploded in my car in Oakland.

⁴⁸ “Pipe Bomb Goes Off in Cloverdale”, staff report, *Santa Rosa Press Democrat*, May 10, 1990; and “Pipe Bombing Causes No Injury”, staff report, *Willits News*, May 11, 1990.

⁴⁹ “Pipe Bombing Causes No Injury”, staff report, *Willits News*, May 11, 1990.

⁵⁰ “Note Found Near L-P Pipe Bomb”, by Randi Rossman, *Santa Rosa Press Democrat*, May 10, 1990; and “Pipe Bombing Causes No Injury”, staff report, *Willits News*, May 11, 1990.

⁵¹ Nicholas Wilson, May 28, 1999, op. cit.

⁵² “Evidence in 1990 bombing of Earth First activists to be independently tested”, *San Jose Mercury News*, March 21, 2011.

"I think that this bomb was a footprint that was left in the world to be traced back to me later. And if you look at my (FBI) files, they say: Judi Bari was a labor organizer targeting L-P; therefore she is suspected of the Cloverdale bomb; therefore she is also suspected of the bomb in her car.

"The night of the bombing, within seven hours of the time the bomb explodes, the FBI held a briefing meeting for the Oakland police, and at that meeting they said that I was the chief suspect in the Cloverdale bomb. So this was already set up.

"Now I believe the Cloverdale bomb was a deliberate dud. I believe its intention was to leave an intact model that would then later be matched to the bomb in my car, in order to give an additional reason to say that it was my bomb.

"So what is the implication of that? The implication is that two weeks before I was bombed, somebody knew that not only was I going to be bombed, but I was going to be arrested for that bombing, because they planted something so that the bomb could be traced back to me."⁵³

If Bari's theory was correct, the plot had worked, at least temporarily. Following the bombing in Oakland, L-P and WECARE spokesperson Shep Tucker made it a point to argue that it was *the timber industry* that was being threatened, and cited the Cloverdale bomb as evidence of this⁵⁴, never once considering that this particular bomb was constructed by the same individual or group that had planted the bomb in Bari's car, as ballistics investigations later confirmed.

* * * * *

Further evidence of an FBI conspiracy surfaced when Bari learned of the FBI "Bomb School" which was conducted a month before the bombing, right around the time of the sabotage of the Santa Cruz power lines:

"Four weeks before I was car-bombed, according to both the testimony and the written files, the FBI sponsored a Bomb Investigators' training course at the College of the Redwoods in Eureka, in the heart of the redwood region, on the eve of Redwood Summer. During this week-long course, which was open to law enforcement only, the FBI actually blew up cars with pipe bombs to practice responding. The place where they blew up these cars was (where else?) at a *Louisiana-Pacific* logging site north of Eureka.

The teacher at Bomb School was Special Agent Frank Doyle, the FBI Terrorist Squad bomb expert who showed up at the scene when I was bombed in Oakland, and directed the collection of evidence...Among the students

⁵³ Bosk, January 1995, op. cit.

⁵⁴ "Pipe Bomb Blast: 2 Earth First! People Injured; Car Destroyed – Injured Activists are Organizers of Summerlong Protests", by Judy Ronnigen and Paul Grabowicz, *Oakland Tribune*, May 25, 1990.

at Bomb School were several of the responding Oakland Police officers and FBI agents who collected the evidence under Frank Doyle's supervision at the Oakland bomb scene. The FBI claims that they have lost the roster of students in the class, even though the FBI Bomb School memo that we received from them refers to this roster and says it is attached.

But even without this roster, from the documents that we have, I have been able to place at least four 1990 Bomb School participants as being among the first responding to the Oakland bombing. They are: Special Agent (SA) Frank Doyle, Supervisory Special Agent (SSA) Patrick Webb, SA John F. Holford, and Oakland Police Sgt. Myron Hanson. In addition, SA Stockton Buck, who played a key role at the Oakland bombing scene, has testified that he attended Bomb School in Eureka, where they blew up cars with Frank Doyle, but he doesn't recall if it was 1990 or one of the years before. Stockton Buck also testified that he found the assignment of collecting evidence at the Oakland bomb scene pleasant, because it was a nice day and they had pavement under their feet. Which makes me think he may have been contrasting it to the dust and mud of the L-P clearcut where they had blown up the cars in Bomb School."⁵⁵

In a badly damaged piece of video footage, obtained by Bari's legal team some years later, the police and FBI agents who attended the Bomb School can be heard bantering while waiting to be cleared to investigate Bari's damaged car by demolitions experts (in case of additional explosives).⁵⁶ At one point, Frank Doyle can be heard to say, "Well, this is it...this is it, go to it! This is the final exam right here!"⁵⁷ Adding to the evidence, the chief of L-P's private Humboldt County security force, Frank Wiggington a former deputy sheriff with the county was one of the participants in the bomb school. In addition to practicing scenarios that *exactly* matched the events as they unfolded in Oakland. According to the testimony of one of the Oakland Police officers who attended the school, they also practiced dealing with firebombs matching the one found at the mill in Cloverdale.⁵⁸

* * * * *

A week after the bombing, the so-called "Lord's Avenger" letter appeared, by an anonymous still as-of-yet-unidentified individual, claiming credit for it. The unknown writer described both the bomb in Bari's car and Cloverdale bomb in *exact* detail, including the arming mechanisms of both. They explained their motivation as being revenge for Bari's defense of an abortion clinic in Ukiah in November 1988. The Lord's Avenger *did* claim that he had heard Bari give a speech at that particular counter-

⁵⁵ Bari, October 19, 1994, op. cit.

⁵⁶ Bosk, January 1995, op. cit.

⁵⁷ *Cherney and Thompson, 2012, op. cit.*

⁵⁸ Nicholas Wilson, May 28, 1999, op. cit.

demonstration.⁵⁹ Many took this to be proof that the bomber was a lone, right-wing nut, and if it was, one possible candidate was Bill Staley. He had been one of the anti-abortion demonstrators at the rally in question.⁶⁰ Yet, the FBI only spoke briefly with Bill Staley and then dismissed him as a suspect without following up on any further leads (which existed) that could have proven that he had at least *some* connection to the bombing.⁶¹

However, there is no evidence to support the notion that the *Lord's Avenger Letter* was any less a fabrication than Frank Doyle's claim about the bomb being placed in the back seat of Bari's automobile, and further, the writer told an obvious lie. The Lord's Avenger claimed that they had placed the bomb in Bari's vehicle while it was parked in front of Dan's Frontier Room in Willits during the meeting with the gyppos on the evening of May 22. Certainly, there was enough time for this to have occurred, because the meeting lasted almost five hours. However, the car had been in plain sight to the participants of the meeting, who could view it through the restaurant's picture window. Not all of the gyppos at the meeting were entirely sympathetic to Bari or Redwood Summer, and they would have had every incentive to point out the presence of a bomb, if they suspected her of being guilty. However, *none* of them recall seeing anyone or anything suspicious near the car during the entire time. Though the meeting lasted past sundown, the car had been parked next to a functioning streetlamp. Also, the restaurant was located across the street from the Willits Police Department, and none of the Police on duty recall anyone or anything suspicious either.⁶²

Furthermore, had a bomb been placed in the car as the Lord's Avenger had claimed, it would almost assuredly have been spotted by the occupants of the vehicle following the meeting. Utah Phillips, Joanna Robinson, and Dakota Sid Clifford attended the meeting as well as Bari and all four rode back to her home in Redwood Valley afterwards. Utah Phillips had loaded Bari's guitar into the car near the end of the meeting and he recalled seeing nothing under the driver's seat or in the back seat.⁶³ He had also made repeated trips to the car during the meeting to make sure nothing had been stolen from it. Furthermore, none of Bari's three passengers recall seeing the bomb while en route to Bari's home, and—since her 1981 Sabaru was a small vehicle, the person seated behind Bari would almost assuredly would have felt the device with their feet, if they hadn't spotted it had it been there.⁶⁴ Finally, the bomb could not have been placed in the car that early, because its timing device would not have allowed for

⁵⁹ "Earth First! Probe Hits North Coast", by Paul Grabowics and Carolyn Newburgh, *Oakland Tribune*, July 20, 1990.

⁶⁰ Bosk, January 1995, op. cit.

⁶¹ "www.colemanhoax.info", in response to Coleman, op. cit., page 174.

⁶² "New Facts Cast Doubt on Letter", by Paul Grabowicz and Harry Harris, *Oakland Tribune*, June 1, 1990.

⁶³ "Bomb Charge Absurd, Says Activists' Friend", by Tobias Young, *Santa Rosa Press Democrat*, May 27, 1990.

⁶⁴ Grabowicz and H Harris, June 1, 1990, op. cit.

that. Given its 12-hour time limit, the bomb could only have been placed in the car while it was parked outside of David Kemnitzer's house in Oakland the night before the bombing. The *Lord's Avenger Letter* itself, no matter how much detail it correctly provided about both the bomb in Bari's car and the Cloverdale bomb, has to have been a forgery.

Indeed, as time went on, Judi Bari reasoned that the letter itself may have been part of the cover-up:

"The Lord's Avenger letter was chilling, and at the time, it even fooled me. But in retrospect, it was clearly a fake, meant to lead us off the trail. The Lord's Avenger claimed that he put the bomb in my car while I was in a meeting in Willits, up in the timber region, two days before the bomb went off. But the bomb in my car had a 12-hour timer, so it could not have been place anywhere but Oakland or Berkeley, where I stayed the night before it exploded. And while it's true that the Lord's Avenger's detailed bomb descriptions were mostly accurate, I now realize that there were two sources who knew this information—the bomber himself and the FBI.

"The Lord's Avenger letter had several functions. It provided a plausible lone assassin not connected to timber or FBI. It threw a veil of confusion over the motives for the bombing. And it removed the investigation from Oakland, where the bomb was actually placed, to Mendocino County, where there are many crazy people to use as suspects. And, masterfully, the FBI managed to simultaneously promote the letter as a key piece of evidence, while continuing their claim that Darryl and I bombed ourselves. Since we were the only suspects, they reasoned, Lord's Avenger must be our accomplice. So, with great fanfare, they raided my house a second time, this time looking for 'typewriter exemplars' to match the Lord's Avenger letter, and never mentioning that nothing they found even vaguely matched."⁶⁵

Indeed, the idea that the bomber was a lone actor is a highly unlikely possibility given the Cloverdale bomb, the FBI bomb school, the almost five-dozen death threats issued in the month leading up to the bombing, and the FBI's (at best) mishandling of the case or (at worst) manufacturing it from the get-go. If they hadn't all been connected to the bombing itself, they were part of an incredibly remarkable string of coincidences. In addition, the bomb itself was not a simple construct. Several FBI experts, including David R. Williams—the same expert who convicted the perpetrators of the 1993 World Trade Center bombing (eight years prior to 9/11)—described both the device planted in Bari's vehicle and the Cloverdale bomb as "very complex" bombs that were "very well made," hardly likely to have been the product of a run-of-the-mill lone nut.⁶⁶

⁶⁵ Bari, February 2, 1994, op. cit.

⁶⁶ Bosk, January 1995, op. cit.

Then, two days after the publication of the *Lord's Avenger Letter*, a suspicious photo of Judi Bari surfaced. On June 1, Ukiah Police Chief Fred Keplinger mailed a photograph taken of Bari wearing camouflage and an Earth First! shirt, posing with an Uzi to the FBI and Oakland Police. On June 8, the Ukiah Police, Oakland Police, and the FBI released that photo to the press.⁶⁷ Bari's detractors immediately questioned the consistency of posing with a gun and purporting to be nonviolent.⁶⁸ However, what wasn't immediately reported in the Press, is that the photograph had been intended as a joke.⁶⁹ At least as far as Bari knew at the time of its taking, the photo had an early concept for the cover of Darryl Cherney's album, *They Sure Don't Make Hippies Like They Used To*, and entirely consistent with Earth First!'s irreverent, over-the-top hyperbolic sense of humor. FBI spokesman Duke Diedrich was unconvinced and declared, "Maybe I don't have a sense of humor, but I don't think it's very funny," but even to the layperson at the time, the picture's context should have been obvious.⁷⁰

Bari's stance mimicked Patricia Heart's infamous "Tania" pose, taken in 1974 during an armed bank robbery in San Francisco by the SLA, which was still an image that many would have easily recognized.⁷¹ As Bari elaborated:

"They cannot understand why someone who doesn't know which end of an Uzi to fire would pose with one. The actual purpose of that pose, how we came to take that picture, was we were trying to think of the most outrageous cover we could for Darryl's album...That was an outtake, one that was not used. It was a joke. I've never fired an Uzi. I don't know how to fire an Uzi. I don't own an Uzi. I don't own any fire arms. I don't know how to use fire arms. I've never killed anything bigger than a potato bug."⁷²

Furthermore, the photograph, which had been taken almost two years earlier, had *already* been published (again as a joke) in the *Anderson Valley Advertiser* the previous spring.⁷³ Bruce Anderson revealed that Bari and Cherney had never liked the picture to begin with, but allowed him to use it to fill up space in that issue of his publication⁷⁴, which he humorously captioned "AVA Poster Gal of the Week".

In any case, the photograph could not legally be used to prove guilt in the bombing. Bari's Lawyer, Susan Jordan argued publically that due to its nature as a joke, the

⁶⁷ Richard Johnson, June 15, 1990, op. cit.

⁶⁸ "Mystified at Humor", letter to the editor by Edward McShane and Gail Zettel-McShane, *Ukiah Daily Journal*, June 20

⁶⁹ "Armed Bari a Joke Photo, Friends Say", by Tobias Young, *Santa Rosa Press Democrat*, June 9, 1990.

⁷⁰ "Earth First! Protests Photo Find", *UPI* wire, *Eureka Times-Standard*, June 14, 1990.

⁷¹ "Earth First! Protests Photo Find", *UPI* wire, *Eureka Times-Standard*, June 14, 1990.

⁷² Bruce Anderson, June 13, 1990, op. cit.

⁷³ "AVA Poster Gal of the Week", *Anderson Valley Advertiser*, April 4, 1989.

⁷⁴ "Earth First! Protests Photo Find", *UPI* wire, *Eureka Times-Standard*, June 14, 1990.

photo was not admissible as evidence in the case, and that it had been deliberately released to discredit Bari and Cherney.⁷⁵

“To bring this photograph out now as proof positive that Judi Bari had some responsibility for the explosive device is absurd. It’s either a smear or disingenuous if they know the context of how it was taken”, added fellow attorney Richard Ingram.⁷⁶

* * * * *

Years later, Bari discovered that while she and Cherney might have agreed to the taking of the photo as a joke, the person who originally suggested it may have done so *in the first place to set Bari up* for being discredited:

“The effort to disrupt Ukiah Earth First! and paint me as a terrorist began in November 1988, a year and a half before the bombing. At that time, a man named Irv Sutley came to Ukiah to attend an abortion clinic defense that I had organized in coalition with Ukiah Earth First! and other local groups. We were truly outrageous at that demo, singing our newly written song, ‘Will the Fetus Be Aborted’ to the Operation Rescue thugs.

“I knew Irv, although not well, from my earlier work in the Central America movement in Sonoma County. Irv was traveling with (Pam Davis), and after the demonstration we all went back to Darryl’s house. We talked about our recent successful blockade of Cahto Wilderness, in which I had been arrested for vehicular trespass. We smoked dope and fantasized about imaginary actions, including creating an oil spill in our pro-oil congressman Doug Bosco’s back yard swimming pool.

“After a while, Irv opened the trunk of his car and showed us that he was carrying a modified Uzi submachine gun, which he told us was legal. We took turns posing for photos with the gun, laughing and trying to look tough. Irv placed the gun in my hands, showed me how to hold it, and arranged it so my Earth First! shirt was clearly visible.

“About a month later, unknown to me at the time, the Ukiah Police received a copy of the photo of me holding the Uzi, along with a letter from an anonymous informant (“Argus”). The letter combined half-truths and outright lies to make me look like a terrorist. It read: *‘I joined Earth First to be able to report illegal activities of that organization. Now I want to establish a contact to provide information to authorities. The leader and main force of Earth First in Ukiah is Judi Bari. She is facing a trespassing charge in connection with the Earth First sabotage of a logging road in the Cahto Peak area. She did jail time in Sonoma County for blocking the federal building to support the Communist government in Nicaragua. Bari*

⁷⁵ Richard Johnson, June 15, 1990, op. cit.

⁷⁶ “Earth First! Protests Photo Find”, *UPI wire, Eureka Times-Standard*, June 14, 1990.

and the Ukiah Earth First are planning vandalism directed at Congressman Doug Bosco to protest offshore oil drilling. Earth First recently began automatic weapons training...'

"The letter went on to offer to set me up for a marijuana bust. The police were instructed to take out a coded ad in the local newspaper if they were interested. They were and they did. Around that time, Irv Sutley called me up and asked me to sell him some marijuana. But while I may have been stupid enough to pose for joke photos with an Uzi, I was not stupid enough to sell marijuana. I refused to get him the dope, and I was not busted."⁷⁷

Ukiah Police Sergeant Dan Walker had revealed that "an (unnamed) informant" had sent the photo a year before the bombing "along with a list of Earth First! activities Bari was planning."⁷⁸ That "informant" was evidently Irv Sutley.

Sutley was and is a controversial figure having latched on to many marginal leftist organizations in Sonoma County, in particular the Peace and Freedom Party. His activity within that organization in the late 1980s seemed more intended to cause disruption within its already fractured ranks than any constructive purposes.⁷⁹ For example, he convinced a seventeen year-old belly dancer, Amanita Gardner, to run for California State Assembly in 1988, a move that many saw as self destructive to the party at best (and at worst, Sutley may have been motivated for less than appropriate personal reasons, as suggested by Bruce Anderson).⁸⁰ He also conflated a minor incident involving fellow Peace and Freedom Party member Gene Pepi (with whom Sutley had ostensible ideological disagreements) into a plot by the International Workers Party (a nominal Trotskyist sect) to "take over" the Peace and Freedom Party, an act that Bruce Anderson (also a Peace and Freedom party member) humorously argued "would resemble a banana slug sort of oozing over the top of a marshmallow, completely irrelevant to the real world."⁸¹ Many members of the Peace and Freedom Party, who disagree with each other vehemently on internal matters, still can attest to Sutley's questionable activities.⁸² At the very least, Irv Sutley was paranoid.

Whether or not Sutley had any connection to the FBI or simply assisted them inadvertently in their campaign to discredit Judi Bari and Darryl Cherney is not known, but if the latter is true, it's also a remarkable coincidence. His description of himself is chock full of contradictions. He had no steady job, no steady address,

⁷⁷ Bari, February 2, 1994, op. cit.

⁷⁸ "Earth First! Protests Photo Find", *UPI* wire, *Eureka Times-Standard*, June 14, 1990.

⁷⁹ "Deconstructing Irv Sutley and the FBI, by Bruce Anderson, *Anderson Valley Advertiser*, June 12, 1991.

⁸⁰ "The Youth Vote", letter to the editor by Amanita Gardner (and B. Anderson's reply), *Anderson Valley Advertiser*, June 26, 1991.

⁸¹ Bruce Anderson, June 12, 1991, op. cit.

⁸² Personal communications with Tom Condit, Marsha Feinland, Susan Marsh, Frank Runninghorse, Gerald Sanders, and Gene Pepi, conducted 1995-2011.

claimed to be physically disabled—though appearances suggested otherwise, claimed to be incapable of physical work—and yet remodeled Pam Davis’ garage in exchange for rent (which is how he happened to meet Bari in the first place). He also possessed a substantial number of guns, including the Uzi.⁸³ Sutley claims innocence, and that he was *himself* set up, due to his own activities in CISPES, but there is no evidence to support such a conclusion. According to Judi Bari,

“Irv claims innocence, saying that a third party, probably the FBI must have been surveilling CISPES in Santa Rosa and overheard him talking on the CISPES phone. He says he probably casually mentioned taking the photos of me, and the FBI decided to sneak into (Pam Davis’) house, steal a photo, and mail it to the Ukiah Police.

This is quite a leap of logic, especially when you consider that I was a fulltime carpenter at the time, and not so active or well known yet. The FBI would have had to anticipate my future EF! stardom to be that interested in me that early. And, in order to believe Irv’s story you would have to believe that not only did the FBI steal the picture from Irv’s house, without him ever being aware of it, but then they wrote this letter that just happened to be composed of stuff Irv would know. Then this unknown agent offered to set me up for a drug bust, an offer unlikely to be made by someone who doesn’t have direct contact with me. And finally, even if you can believe all that, Irv admits that three months later, he sent the same photo to the *Anderson Valley Advertiser* without my permission, apparently completely unaware that the Ukiah police had the photo too. That’s quite a coincidence, isn’t it?”⁸⁴

Still more interestingly, a typographical analysis of the “Argus Letter” and the death threat received by Bari which read, “Judi Bari, get out and go back where you came from, We know everything. You won’t get a second warning,” shows that both were composed on the same machine.⁸⁵

* * * * *

The more that people investigated, the more the evidence pointed away from Bari and Cherney and the more the evidence suggested a conspiracy. The FBI frantically searched for something, anything on which to hang their only suspects. Desperate, they actually focused their attention on the nails that had been used as shrapnel in the bomb:

“The FBI was hard put to keep the case going against us. But they managed to find a straw to cling to for a few more weeks. Of all the 111 items seized,

⁸³ Bruce Anderson, June 12, 1991, op. cit.

⁸⁴ “Exposing the FBI”, by Judi Bari, *Anderson Valley Advertiser*, June 12, 1991.

⁸⁵ Bari, February 2, 1994, op. cit.

two nails allegedly had the same tool markings as some of the nails in the bomb. By this it could be determined that they were made on the same machine. But many hundreds of thousands of nails a day are made on each machine. The supplier, Pacific Steel, told the FBI that the nails come in 50-lb boxes from Saudi Arabia, and are distributed at over 200 outlets on the north coast. So, logically, it would be concluded that the nails were too common to compare.

“But logic never stopped the FBI. They just make up new lies. This time, according to an Oakland Police affidavit, an FBI bomb expert told them that the nails *matched in a batch of 200-1000*. The FBI bomb expert now claims that he never said that, and apparently they didn’t even try to make this argument in court, but they used it in the press for several weeks to counter emerging proof of our innocence⁸⁶, and they used it as part of the justification for the second raid on my house, in which they pulled finishing nails from my window trim in search of the elusive incriminating nails.”⁸⁷

Lieutenant Mike Sims and Sergeant Michael Sitterud of the Oakland Police also pointed to an alleged FBI report linking a bag of nails that they claimed to have found in Bari’s car to the nails used in the bomb⁸⁸, but tests showed that this bag of nails *didn’t* match the nails in the bomb.⁸⁹ In fact, the differences were obvious even to the naked eye.⁹⁰ The nails on the bomb were finishing nails whereas the nails in the bag were *roofing* nails.⁹¹ No doubt the nails were in Bari’s car because she was a carpenter⁹² and nails are common equipment possessed by just about anyone who homesteads in a rural community in any case. On top of these inconsistencies, the FBI twice denied the Oakland Police report.⁹³ None of the law enforcement agents ever mentioned that they had also taken, from Bari’s vehicle, a folder containing a copy of the death threats and bogus Earth First! press releases in a folder labeled “Threats and Fakes”—which

⁸⁶ See for example, “Police Link Bomb Nails to Victim”, AP Wire, *Ukiah Daily Journal*, July 6, 1990; “Nails in Bomb May Match Those in Victim’s House”, UPI Wire, *Eureka Times-Standard*, July 7, 1990; “Police: Nails Key to Bomb”, by Chris Coursey, Santa Rosa Press Democrat, July 7, 1990; “Search Links Bari, Bomb; Oakland and Officials Claim Bomb Built at Activist’s Home”, by Chris Coursey and Mike Geniella, *Santa Rosa Press Democrat*, July 10, 1990; and “Nails Upstage Significant New Evidence”, by Daphne Wysham, *San Francisco Weekly*, July 11, 1990.

⁸⁷ Bari, February 2, 1994, op. cit.

⁸⁸ “Court Records: Earth First! Activists Carried Nails for Bomb”, AP Wire, *Ukiah Daily Journal*, June 10, 1990.

⁸⁹ Richard Johnson, June 15, 1990, op. cit.

⁹⁰ Nicholas Wilson, May 28, 1999, op. cit.

⁹¹ Harris, op. cit., page 328.

⁹² “Bari Says Nails Used for Carpentry, Not Bombs; Parody Gun Photo Taken is a Joke”, by Mike Geniella, *Santa Rosa Press Democrat*, June 14, 1990.

⁹³ Richard Johnson, August 1, 1990, op. cit.

Bari used to demonstrate that there was a campaign of disruption against Redwood Summer.⁹⁴

* * * * *

Despite the lack of evidence against Bari and Cherney, neither the FBI nor the Oakland Police bothered to investigate the possibility of other suspects.⁹⁵ They didn't even offer a theory, which leads further credence to the belief that the bombing was a COINTELPRO operation from the get-go.⁹⁶ Whether it was or wasn't, the actual bomber was still at large and could make another assassination attempt. Outraged activists believed that the FBI and OPD should expand the scope of their investigation to find the real bomber, and so they conducted a letter writing campaign to the two agencies and congress demanding as much.⁹⁷ Law enforcement agencies *did* respond, with great fanfare⁹⁸, by expanding their suspect pool to include 800 or so North Coast environmentalists, including all known Earth First! activists in the region.⁹⁹

The idea that the suspect might have had some connection to anti-environmental forces, particularly corporate timber or the government itself was evidently not on the FBI's or OPD's radar, and the agencies refused to follow any such leads. Indeed, the FBI used the information they gathered to increase their surveillance of dissidents in the area.¹⁰⁰ In early August, the FBI dispatched two agents, Stuart Daley, who bore an uncanny resemblance to "a short, plumpish version of Clark Kent", and Stockton Buck, who had been present at the "Bomb School", to lead the effort.¹⁰¹ Captain James Hahn of the Oakland Police Department indicated that they, too, were involved in the investigation, but would provide no additional details.¹⁰²

The FBI initiated their "investigation" by sending a letter to the local newspapers—both corporate and independent—in the region, which read, in part, "As part of the [bombing] investigation, the FBI is attempting to identify the Lord's Avenger letter. In that regard we are asking for your cooperation in making available for review letters you have received regarding the redwood timber and abortion issues."¹⁰³ This meant

⁹⁴ Nicholas Wilson, May 28, 1999, op. cit.

⁹⁵ "Bari and Cherney Still Suspects in Car Bombing", by Mike Geniella, *Santa Rosa Press Democrat*, August 5, 1990.

⁹⁶ "The COINTELPRO Plot that Failed", by Judi Bari, *Anderson Valley Advertiser*, August 22, 1990.

⁹⁷ "Bombing Probe Disagreement: Earth First! Wants Broader Suspect Base", by Bley W. Rose, *Santa Rosa Press Democrat*, July 19, 1990.

⁹⁸ "Earth First! Probe Hits North Coast", by Paul Grabowics and Carolyn Newburgh, *Oakland Tribune*, July 20, 1990; "Bomb Probe Renewed by FBI", by Mike Geniella, *Santa Rosa Press Democrat*, July 26, 1990; and "FBI's Earth First! Bombing Probe Comes to Humboldt County", by Mark Rathjen, *Eureka Times-Standard*, August 10, 1990.

⁹⁹ Bari, February 2, 1994, op. cit.

¹⁰⁰ Bari, February 2, 1994, op. cit.

¹⁰¹ "Willits Police Hunt Real Bombers", by Richard Johnson, *Mendocino Country Environmentalist*, September 1, 1990.

¹⁰² Grabowics and Newburgh, July 20, 1990, op. cit.

¹⁰³ Richard Johnson, September 1, 1990, op. cit.

that the FBI wanted to comb through unpublished letters to the editor, which vastly outnumbered the published ones that anyone could access given the time and diligence.¹⁰⁴ Such a search was likely fruitless, because it would be very time consuming. As Betty Ball described it, “Instead of not having any leads, there are zillions of leads. Any avenue would take you quite a ways before you’d realize you were or were not close, that you had come up with nothing. It’s a baffling thing.”¹⁰⁵

For example, Del Norte County law enforcement agencies delved into the case of a Crescent City teenager whom local police had arrested in May of 1990 after he sold a homemade bomb to an undercover agent. Crescent City Police quickly dismissed any possibility of this being related to the Bari and Cherney bombing. Their reasoning was that the teenager was planting bombs to protest laws that restricted the purchases of assault rifles. “It’s not connected in any way (to the Bari and Cherney case)”, declared Crescent City detective Virginia Anthony, “I definitely would jump on it if there was any connection.”¹⁰⁶ Anthony’s assessment was probably on the mark, but her reasoning was suspect. The teenager in question probably would have felt at home among the members of WE CARE, TEAM, Mother’s Watch, or the Sahara Club, but then again, there were hundreds of such individuals in northwestern California.¹⁰⁷

Worse still, the FBI’s method was invasive, and violated basic civil liberties. The *Santa Rosa Press Democrat*, in a moment of rare courage told the FBI to take a hike, arguing that surrendering the unpublished letters would have a chilling effect on free speech.¹⁰⁸ Richard Johnson, publisher of the *Mendocino Country Environmentalist*, also refused. He recalled:

“When Daley and Buck’s San Francisco bureau Chief Richard Held—formerly of COINTELPRO fame—sent me a letter early last month demanding that I turn over the originals of all letters to the editor of this paper concerning abortion rights or redwood timber issues, I ignored him without further consequence. I have had no further contact with them...

“No one is obliged to speak to the FBI about anything substantial. When you tell them that you would be happy to speak to them in the presence of your attorney, they go away and don’t come back. If you tell them anything other than how to contact your attorney, they can open a file and put anything they want into it.”¹⁰⁹

However, at least ten local editors, perhaps flattered by all of the sudden attention, consented to the FBI rifling through their files and picking out original copies of both

¹⁰⁴ Bari, February 2, 1994, op. cit.

¹⁰⁵ Grabowics and Newburgh, July 20, 1990, op. cit.

¹⁰⁶ Grabowics and Newburgh, July 20, 1990, op. cit.

¹⁰⁷ Bari, February 2, 1994, op. cit.

¹⁰⁸ Bari, February 2, 1994, op. cit.

¹⁰⁹ Richard Johnson, September 1, 1990, op. cit.

published and unpublished letters.¹¹⁰ Even Bruce Anderson agreed to the search, opining, “It seems to me to be a fairly serious investigation...I think (the FBI agents are) up here all the time, that they’re moving in, but a lot of my friends tell me I’m too optimistic.”¹¹¹

Anderson’s friends were correct. Virtually every letter they confiscated was written by an environmentalist, and what little connection any of the letters, their subject, or their author had to the bombing was tenuous at best.¹¹² A typical example included, “On Healing the Earth”, by Forest Featherwalker, who was a supporter of Redwood Summer, and attended several demonstrations, but beyond that had no involvement in the planning or organizing of any of the events. Another, very curious example, was a poem, sent to the Redwood Record, titled, “Has anyone ever known their spirits?” signed “First Impressions in Pokhara Valley”. According to Bari, who found much of this out through various discovery efforts in the lawsuit against the FBI in subsequent years, this letter was sent to all sorts of forensics and behavioral science labs by the FBI to determine whether or not the author had the personality type of someone who would plant a bomb in Bari’s vehicle or write the *Lords Avenger* letter. Never mind that there were plenty of violent, right wing lunatics who *did* have such a personality. None of the letters from members of the Yellow Ribbon coalition, Mothers’ Watch, TEAM, or other so-called “Wise Use” advocates were collected, much less investigated, even though there were *hundreds* of these.¹¹³

The FBI did, of course, consult with the representatives of these organizations who were not at all hesitant to offer their own twisted theories on who the suspects might be, and naturally the list excluded any of their own ranks. Judi Bari recalls:

“Candy Boak of Mother’s Watch, who is well known in our region as one of the worst pro-timber hate mongers, told the FBI that of all EF!ers she knows, Larry Evans and Bill Duvall are the ones she fears the most. Larry is a nonviolent activist with an academic background in and exceptional knowledge of forest biology. Bill Duvall is a Humboldt State University professor and coauthor of Deep Ecology. The very same week that Candy talked to the FBI, she organized a “Dirty Tricks Workshop” with the anti-environmental hate group Sahara Club, to teach local timber goons new ways to terrorize us. This, of course, is not mentioned in the interview.”¹¹⁴

Boak’s cohort, Paula Langager of WECARE actually admitted to the FBI that there was a core group of their ilk who liked “to play little jokes on Earth First! members (sic)

¹¹⁰ Bari, February 2, 1994, op. cit.

¹¹¹ Grabowics and Newburgh, July 20, 1990, op. cit.

¹¹² Bari, February 2, 1994, op. cit.

¹¹³ “Dances With FBI Agents”, speech by Judi Bari, recorded at Briceland School by Bob Seifert for KMUD FM community radio, Briceland, CA., November 1996. Featured on Who Bombed Judi Bari? spoken word album, published by Darryl Cherney, © 1997, Alternative Tentacles.

¹¹⁴ Bari, February 2, 1994, op. cit.

and have issued false press releases.” She then gave the FBI copies of the bogus press releases, and even named Dave Curzon as the author! Astonishingly, the FBI dropped this lead altogether. The FBI agents also took copies of environmental leaflets collected by various corporate timber apologists as well as timber management, that included headlines such as “Come to the Air Quality Hearing” and “Hemp Awareness Day: Music, Teach-in, and Festival”. P-L president John Campbell provided copies of *The Country Activist*, a timber industry-produced booklet of Earth First! quotations (no doubt devoid of context), and a copy of *Live Wild or Die*, a primitivist oriented newspaper published very sporadically by a faction within Earth First! that also includes non Earth First! fellow travelers. Campbell also submitted a list of fifty three names and addresses that he claimed were “Earth First! trespassers” despite the fact that many of them had never been formally charged with this crime.¹¹⁵

Buck and Dailey’s contact with local law enforcement agencies was no less suspect. Judi Bari elaborates:

“The FBI also interviewed the local police in the timber region. They asked them questions like who do they ‘consider to be prominent environmental activists’ in their town. Without ever questioning why, police gave out names and addresses of various ‘respectable’ environmentalists, as well as Earth First!ers. Humboldt sheriffs were asked for a list of ‘individuals capable of engaging in violent activity.’ The list consisted entirely of nonviolent Earth First! activists, none of whom engaged in any violent activity before, during, or since that time. Names of timber supporters, who had committed many well-documented assaults on environmentalists in our region, were not solicited by the FBI or included on any police lists.

Humboldt and Mendocino Sheriff’s ‘Intelligence Officers’ also came up with some wild stories about supposed internal jealousies and intrigues within Earth First!. One had Mickey Dulas and me pulling a coup on Darryl Cherney to squeeze him out of the picture. Another had Mickey crying ‘from being upset with Judi Bari, as Judi Bari was dictating how things should be run from her wheelchair.’ In reality, we were all working together, standing up to lethal force with principle, courage, and nonviolence in terrifying situation.

A (Mendocino) sheriff report claimed that monkeywrenching was being done by the Nomadic Action team. Led by Mike Roselle. The fact that there was no monkeywrenching going on at all didn’t seem to bother him. Another fictitious ‘intelligence’ report of an event that never happened quotes Humboldt sheriffs as saying that ‘members of the Earth First (sic) in the tri-state area, believed to mean Washington, Oregon, and California and possibly Arizona are planning to travel to the north coast and attempt

¹¹⁵ Bari, February 2, 1994, op. cit.

to take over, as they feel the local leadership is not doing enough. These outside Earth First! members, many of whom are former (sic) followers of Dave Foreman, are planning a build-up of activities...and there is something unknown that is being planned.’”¹¹⁶

Presumably, these alleged “differences” might have been pretext for a disgruntled Earth First!er planting the bomb in Bari’s car, except that none of these accounts were true, and what acrimony did exist within Earth First! was far less serious or pronounced than this. There *was* growing division between Dave Foreman and Mike Roselle over the direction of the *Earth First! Journal*, and there were many outside of northern California who questioned the renunciation on tree spiking, but for the most part, Earth First!ers were unified in their support for Bari and Cherney as well as Redwood Summer.

The likelihood is that the leaders of the FBI and OPD investigative team knew *exactly* who the bomber was, but were concealing this information, and the expansion of the suspect pool in this fashion was nothing more than a distraction. The haze surrounding the bombing was thickened by the charging of Ilse Asplund, Mark Baker, Mark Davis, Dave Foreman, and Peg Millet in the Arizona power line case which had already been revealed as an FBI sting and COITNELPRO operation, a fact that the corporate media routinely ignored.¹¹⁷ If anything, the entire “investigation” was simply a continuation and expansion of the initial COINTELPRO operation all along, because much of what Buck and Dailey did involved information gathering, surveillance, and even disruption. The FBI even deposed John DeWitt, director of Save the Redwoods League. DeWitt turned over a letter he had received from Greg King, written in 1987, admonishing Save the Redwoods League to stop compromising with corporate timber and selling out the forest. He also submitted a list of Earth First! activists and associates and a list of how much each had donated to his organization. Most of them had donated nothing, and those who had, had contributed paltry sums, such as Darryl Cherney, who had given them \$5.¹¹⁸ The revelation of this information sowed further divisions and mistrust between Earth First! and Save the Redwoods League.

Clearly, not only was the bombing of Bari and Cherney an attempt to disrupt Earth First! (and by extension the IWW, EPIC, *Forests Forever*, Redwood Summer, and all of those connected to them), the FBI’s subsequent investigations *themselves* seemed designed to do exactly the same thing. Indeed, the intentions of both dovetailed so seamlessly, one could scarcely be faulted for concluding they were part of a unified effort. The only mystery was how effective would such an endeavor be.

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¹¹⁶ Bari, February 2, 1994, op. cit.

¹¹⁷ “Feds Accuse Arizona Activists of Plot to Sabotage Nuke Plants”, by Mike Geniella, *Santa Rosa Press Democrat*, August 5, 1990.

¹¹⁸ Bari, February 2, 1994, op. cit.

Outside of the North Coast, the bombing actually strengthened the support for Redwood Summer, because in spite of all of the propaganda, the victims were quickly (and rightfully) regarded as martyrs rather than terrorists. Indeed, calls of support for Redwood Summer and offers of financial assistance were nonstop at the Mendocino Environmental Center, and only increased after the bombing.¹¹⁹ Richard Jonson described the constant hustle and bustle at the MEC thusly:

“From Thursday afternoon to Saturday evening, the organization’s office near the courthouse in Ukiah was full of people responding to the tragedy. The tone of the continuously changing congregation was one of sober concern for the victims’ health and safety, and resolute conviction that both Bari and Cherney were innocent of any involvement in their assault. In an atmosphere of calm determination, tempered sometimes by fatigue, movement workers and volunteers, channeled information, created posters and written updates, organized a support fund, and conducted vigils. Never was there a feeling of crisis at the center.”¹²⁰

Earth First!ers from Boulder Colorado, while not in agreement with the renunciation of Tree Spiking, nevertheless pledged their support for Redwood Summer. “No, they’re not going to scare us away,” said Colorado Earth First!er Eric Kessler, who informed the MEC that at least 50 people would be coming from his region to join in the actions. “Until this, I never thought of tying myself to a tree,” said one volunteer, “now I’m ready.”¹²¹

Response from state and national environmental and social justice organizations to the bombing was immediate and strong. Pledges of support and solidarity were issued by Amnesty International, the American Civil Liberties Union, American Peace Test, the Christic Institute, Greenpeace, Pledge of Resistance, the Rainforest Action Network, and United Student Action. Support offices were established as far away as Boston, Detroit, and New York City.¹²² They were soon joined by the Earth Island Institute and the International Indian Treaty Council.¹²³ Members of the Santa Rosa chapter of CISPES and Pledge For Peace called for an immediate investigation of

¹¹⁹ “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

¹²⁰ “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

¹²¹ “Supporters Insist Bomb Victims Nonviolent; Timber Firms Condemn Attack”, by Chris Coursey and Steve Hart, *Santa Rosa Press Democrat*, May 25, 1990.

¹²² “Nonviolence is Our Answer”, by Richard Johnson, *Mendocino Country Environmentalist*, May 29, 1990.

¹²³ “Redwood Summer Goes On!”, by Karen Pickett and Woody Joe, *Earth First! Journal*, Litha / June 21, 1990.

the bombing and police conduct in dealing with the crime.¹²⁴ Howard C Hughs, a coordinator from the Sonoma County Rainbow Coalition wrote an op-ed piece for the *Santa Rosa Press Democrat* drawing the parallels between Judi Bari and Martin Luther King as well as Mississippi and Redwood Summers.¹²⁵ Labor unions and union militants, at least those still devoted to class struggle, also showed their support. In spite of all of this, however, at least one leader in the movement would be dropping out of Redwood Summer.

* * * * *

Greg King had been nowhere near the explosion when it had happened, but in a very real way he became its third victim. He had traveled to the Bay Area to attend several of the vigils in support of Bari and Cherney. However, he had already been fighting burnout for over a year and was not especially comfortable with the rapid expansion of the movement, preferring instead to work in small groups. He had warned Bari, Cherney, and many other Earth First!ers about infiltration, perhaps even from the FBI, and even after Arizona, none had envisioned anything as drastic as *this*. On top of these factors, King's mother was fighting a losing battle with cancer. While staying with comrades in Berkeley one night shortly after the bombing, King stepped out to purchase candles for one of the solidarity vigils at a local convenience store. In an odd series of eerie coincidences, King was given a ride by Dave Kemnitzer, and on a dark street at a not particularly well lit intersection in Berkeley, they stopped behind another vehicle bearing a yellow bumper sticker with black letters produced by an obscure "noise" band from Contra Costa County known as Negativland. The sticker had just two legible words on it. They read, "Car Bomb!" on which Kemnitzer commented, "That's not funny."¹²⁶

This was too much for Greg King. He was already suspicious to the point that he wasn't entirely sure that Kemnitzer wasn't an infiltrator. By King's own account he was stoned on marijuana and prone to the paranoia sometimes experienced under its influence. There was very little chance that, even in Berkeley where the local community based Pacifica radio station KPFA—who regularly featured Negativland on a weekly show called "Over The Edge", that anyone would have known that the "Car Bomb" reference had *nothing* to do with what had just happened to Bari and Cherney (indeed, it was the name of an nondescript track on their album, *Escape from Noise*, which had been released five years previously). Kemnitzer evidently hadn't recognized it as an odd coincidence either.¹²⁷

¹²⁴ "Human Rights in America", letter to the editor by Mattie Rudinow, et. al, *Anderson Valley Advertiser*, June 20, 1990; and "Pledge for Peace", letter to the editor by Mattie Rudinow, et. al, *Santa Rosa Press Democrat*, June 23, 1990.

¹²⁵ "Close to Home: Earth First! and Covert Ops", by Howard C. Hughs, *Santa Rosa Press Democrat*, June 21, 1990.

¹²⁶ Harris, op. cit, page 332.

¹²⁷ Harris, op. cit, pages 332-34.

King quickly exited the car and returned to where he was staying. His comrades tried, unsuccessfully, to comfort him, but the straw had broken the camel's back. King wanted out and was determined to return to Humboldt County, and so he left. That proved to be an adventure also, due to a combination of the frightened activist's snowballing paranoia and the quirkiness of Berkeley's side streets which are organized into a complex maze of one-way arteries, controlled by intersectional barriers, designed to reroute traffic onto main thoroughfares. After inadvertently driving in circles—or what seemed like circles, and experiencing several additional panic attacks, King gave up and left his vehicle by the side of the road and hitchhiked home to Humboldt. King was done, and would soon completely step away from activism for several years.¹²⁸

* * * * *

King may have been driven out of the movement (for a time at least), but Judi Bari, herself, proved far more resilient. On June 22, 1990, while Redwood Summer was in full swing, in Oakland, Bari (who was still in traction and recovering slowly at Highland Hospital) and Cherney were finally arraigned, and no charges were filed against them, no doubt because the Alameda County DA had no evidence against them. Nevertheless, the same DA expressed intent to charge them anyway, “as soon as evidence could be found.” The case was continued.¹²⁹

That day, a coalition of environmental, feminist, labor, peace, and social justice groups held a press conference outside of the hearing in Oakland “to announce its formation to work in support of the rights of all activists to carry out nonviolent protests unimpeded by police harassment, infiltration, and violence,” as well as to publicly support Redwood Summer.¹³⁰ The event was attended by Bari and Cherney's lawyer, Susan Jordan, as well as David Brower and Ted Steiner of Earth Island Institute, David Chatfield of Greenpeace, Monica Moore of the Pesticide Action Network, Randy Hayes of the Rainforest Action Network, David Nesmith of the Sierra Club, and Jane McAlevey of the Environmental Project on Central America. Speaker after speaker excoriated the government for their obvious attempts to frame Bari and Cherney. During his speech, Steiner declared:

“It's time for the government to clear the reputations of these two environmental activists...A cloud hangs over their heads, and the harassment and misinformation campaign by the Oakland police and the FBI is a well-orchestrated attempt to destroy Redwood Summer. It is an attack on the whole environmental movement.”¹³¹

¹²⁸ Harris, op. cit, pages 332-34. Fortunately, King eventually found his way back into the environmental movement, ultimately succeeding Tim McKay as executive director of the North Coast Environmental Center.

¹²⁹ “Redwood Summer Timeline”, by Karen Pickett, *Earth First! Journal*, Samhain / November 1, 1990; and Richard Johnson, *Mendocino Country Environmentalist*, various issues from June 1, 1990 – October 1, 1990.

¹³⁰ “What Makes Us Strong”, by Karen Pickett, *Redwood Summer Earth First! Extra*, late July 1990.

¹³¹ Richard Johnson, July 1, 1990, op. cit.

Jane McAlevey also spoke, saying,

“Despite illegal searches and seizures by the Oakland police and the FBI, the prosecution still has not produced a shred of evidence against the victims. This is simply an attempt by some at the federal level in and out of Corporate America to discredit these very effective and heroic environmental activists.”¹³²

Monica Moore stated, “The arrest of Judi Bari and Darryl Cherney and the authorities’ presumption that they were responsible for this violent crime is unjust, unfounded, and extremely dangerous to democratic rights.”¹³³

David Chatfield declared, “American history shows that when nonviolent protest begins to effect change, it invites repression from authorities committed to the status quo. As the cold war thaws, we may be entering an era in which the FBI and other agencies substitute the Green Menace for the Red Menace.”¹³⁴

Still carrying the proverbial torch of John Muir and his fellow Sierra Club founders, David Brower—now organizing under the banner of the Earth Island Institute—spoke for nearly everyone in Redwood Summer when he stated:

We call for a thorough and impartial investigation into who was truly responsible for the murder attempt against these activists as well as a serious investigation of the numerous death threats they have received. Further, we demand that the authorities desist in their campaign to discredit the legitimacy of their struggle...We call on other environmental groups to express their support for Redwood Summer and for nonviolent direct action as a legitimate method of defending the forests and preserving American jobs. Earth Island Institute supports the goals of Redwood Summer and deplores the thinly-veiled attempts to thwart this worthy effort to preserve the last of California’s old-growth forests.”¹³⁵

The speakers then drafted a letter calling for an independent investigation of the bombing and the police and FBI’s handling of the case.¹³⁶ The letter included the following statement:

“We are also concerned by reports that the two injured Earth First! organizers might have been deprived of due process. In particular, we are disturbed by reports that one of the victims (Cherney) was confined to a small prison cell for eight hours, questioned intensively for four hours

¹³² Richard Johnson, July 1, 1990, op. cit.

¹³³ Richard Johnson, July 1, 1990, op. cit.

¹³⁴ Richard Johnson, July 1, 1990, op. cit.

¹³⁵ Richard Johnson, July 1, 1990, op. cit.

¹³⁶ Pickett, late July 1990, op. cit.

by the FBI, given little food or water during this time, and denied access to his attorney—despite his attorney’s efforts to see him throughout this process.”¹³⁷

This document was signed by Congressman Ron Dellums, Assemblyman Tom Bates, and representatives from various organizations, including Earth Island Institute, Greenpeace, Friends of the Earth, Environmental Project on Central America, the National Organization of Women (NOW), the National Lawyers’ Guild, the ACLU, and many others.¹³⁸ Congressman Dellums declared:

“Neither the Oakland police or the FBI have conducted any interviews or done any investigative work with respect to this theory of the case. Instead, they continue to focus on a forensic inquiry that seeks to explain an a priori conclusion that Ms. Bari and Mr. Cherney knowingly transported the bomb that blew up their car...”¹³⁹

It strikes me as fundamentally flawed for these agencies to ignore the obvious possibility that individuals seeking to disguise their actions had planted a bomb in the car in such a fashion.”¹⁴⁰

Mendocino County Supervisor Norm de Vall announced that both Dellums and Bates were seeking intervention from California Attorney General Van de Kamp against the ongoing attempts to frame Bari and Cherney.

“The media, FBI, and Oakland Police are looking upon the two victims as suspects,” charged Ying Lee Kelley, one of Ron Dellums Congressional aides.¹⁴¹

“(There is an obvious) lack of care that’s been taken with the car and the immediate evidence that should have been investigated...I think it’s also important to point out that Bari and Cherney are two people that have dedicated themselves to the Gandhian principles of nonviolence.”¹⁴²

California state Democratic Party Executive Board member Agar Jaicks declared, “The violation of Bari and Cherney’s rights gives fair warning to lumber employees that their rights, too, can be denied.”¹⁴³ Helen Grieco, executive director of NOW’s San Francisco chapter suggested that if investigators were serious about catching the

¹³⁷ Richard Johnson, August 1, 1990, op. cit.

¹³⁸ Pickett, late July 1990, op. cit.

¹³⁹ Richard Johnson, August 1, 1990, op. cit.

¹⁴⁰ “Probe Asked of Oakland Police, FBI: Handling of Car Bomb Blast Questioned”, staff and wire reports, *Santa Rosa Press Democrat*, July 17, 1990.

¹⁴¹ “California’s ‘Timber War’ Heats Up”, by Chuck Idelson and Tara Kramer, *People’s Daily World*, July 21, 1990.

¹⁴² Staff and wire reports, July 17, 1990, op. cit.

¹⁴³ Idelson and Kramer, July 12, 1990, op. cit.

bomber, they'd consider the actual likely suspects, which included corporate timber representatives, anti-choice activists, and quite possibly the FBI itself. David Brower agreed, saying, "We've got to put our security agencies on trial. We deserve more than we're getting from these agencies."¹⁴⁴

"History is full of violence against nonviolent activists...Earth First! was beginning to have an effect on the status quo", echoed Greenpeace regional director Chet Tchozewski.¹⁴⁵ "I think the next phase of this investigation has to be for a clear and open investigation and not charge the victims and call that justice. We don't know anything anyone here doesn't know. We want someone other than the victims to be considered as suspects," he added.¹⁴⁶

* * * * *

Originally Oakland police officials stated that they would bring charges against the pair on June 18, 1990. They postponed that hearing until July 18¹⁴⁷, but on July 17, 1990, Chris Carpenter announced that the County would not charge Bari and Cherney after all, despite their having corroborated with the FBI in an obvious frame up attempt of the pair. "Based on the evidence that we have, no charges will be filed. We had a bomb go off in Oakland and police are continuing their investigation," declared Carpenter.¹⁴⁸ Not willing to completely concede defeat, however, he said, "We haven't eliminated anyone as a suspect."¹⁴⁹

Lawyers Susan B. Jordan, Douglas Horngrad, and Richard Ingram, Bari and Cherney's legal team, declared:

"From the moment the bomb went off under Judi's seat the Oakland Police Department launched an investigation directed only at them solely because they are political activists. The Oakland Police Department has conducted an unprecedented and outrageous smear campaign in an attempt to discredit Earth First! and Redwood Summer."¹⁵⁰

Redwood Summer organizer Ed Denson issued the following addendum, on behalf of Bari and Cherney's legal team:

"We view the District Attorney's action today not only as an indication, but as a confirmation of Judi Bari's and Darryl Cherney's innocence. We resent any implication that they are not totally innocent. There is no evidence,

¹⁴⁴ Staff and wire reports, July 17, 1990, op. cit.

¹⁴⁵ Idelson and Kramer, July 12, 1990, op. cit.

¹⁴⁶ Staff and wire reports, July 17, 1990, op. cit.

¹⁴⁷ "No Charges Against Judi and Darryl", *Industrial Worker*, September 1990.

¹⁴⁸ "No Bombing Charges: Evidence too slim against Bari, Cherney", by Bleys W. Rose, *Santa Rosa Press Democrat*, Wednesday, July 18, 1990.

¹⁴⁹ "DA Won't Charge Victims; Evidence Lacking in Earth First! Case", *UPI Wire*, *Eureka Times-Standard*, July 18, 1990.

¹⁵⁰ Rose, July 18, 1990, op. cit.

nor has there ever been, that nails on the bomb match nails at Judi's house. This evidence does not exist...

We intend to pursue this investigation and we are demanding the immediate release of all information gathered to date. We are evaluating today's action with an eye toward a lawsuit for false arrest and for violation of Judi Bari's and Darryl Cherney's civil rights.¹⁵¹

The Oakland Police Lieutenant Mike Sims, however, indicated that his department still considered Bari and Cherney as likely suspects, stating, "We developed a lot of information, talked to a lot of people. What a lot of people lost sight of was that there was another bombing in this case involving a lumber yard. We would have been remiss if we had not followed the course we have taken."¹⁵² He complained about the difficulty in his investigation, because few of those close to the victims would cooperate with his department, no doubt due to the latter being wary of the Oakland Police's possible complicity in a cover-up.¹⁵³ Sims declared:

"We will continue with the investigation and check out all leads, but it is difficult when we have people refusing to talk to us. To this point our (investigation) has been geared in their direction. We realize the political and economic situation in that area is volatile but we are not going to serve somebody's political agenda. We are going to go with the evidence that identifies the bomber."¹⁵⁴

What Sims was ignoring, of course, was that he was already serving the political agenda of the employing class, specifically Corporate Timber, by continuing to ignore the obvious, that the bombing was an assassination attempt.¹⁵⁵

The reaction among the Redwood Summer organizers was one of relief and vindication, but not elation. Mike Roselle stated, "We need a real investigation that follows up on some of the obvious leads like the death threats, but we do not have a lot of confidence that the Oakland Police will do this, although that is their responsibility."

Betty Ball made it clear that there was still a campaign to be waged. "The forests are still falling and a bomber is still out there. We don't have to deal with (just) one issue anymore. I have known from the outset that (Bari and Cherney) were the victims."

Representatives of Seeds of Peace were angry at the unwarranted searches and what they felt were illegal detentions of their members on May 24, 1990 and demanded an

¹⁵¹ Press release, by Ed Denson, July 17, 1990.

¹⁵² "DA Won't Charge Victims; Evidence Lacking in Earth First! Case", *UPI Wire*, *Eureka Times-Standard*, July 18, 1990.

¹⁵³ Richard Johnson, July 1, 1990, op. cit.

¹⁵⁴ Rose, July 18, 1990, op. cit.

¹⁵⁵ Richard Johnson, July 1, 1990, op. cit.

apology from the Oakland Police. Jim Squatter, speaking for the group declared, “We felt that they were on the wrong track and they finally proved our point.”¹⁵⁶

Bari and her immediate family, including her estranged sister Gina Kolata, were relieved.¹⁵⁷ Bari declared that she was “ecstatic” about the decision but “outraged at what the FBI and the Oakland Police (had done to her).”¹⁵⁸ She was also critical of the Mendocino County police agencies, unsympathetic local officials, and the corporate press for their parroting of the official line that she and Cherney were knowingly transporting explosives that accidentally detonated. Bari said that local officials and especially the Mendocino County Supervisors were, “quick to condemn us for possible violence when we announced Redwood Summer, but they were strangely silent when this unspeakable violence happened to me.” Of the corporate press, she complained about reporters falling for “selected leaks and innuendo instead of making the police try me in the courtroom where there are rules of evidence.” She was especially incensed at the reporting in one publication in particular, declaring, “The *Press Democrat* has done as much damage to me as the Oakland Police. I don’t call that journalism. I call that slander.” She could just as easily have singled out the *Eureka Times-Standard*, *Oakland Tribune*, *San Francisco Chronicle*, *San Francisco Examiner*, or countless other corporate owned publications (not to mention radio and TV outlets) of the capitalist press who had been just as atrocious in their handling of the bombing.

Despite this, Bari was undaunted in her resolve. She declared, “I don’t intend to be run out of town. I don’t intend to shut up. I’m going to be there (involved in Redwood Summer), and I’m going to be saying ‘no’ to the timber industry.”¹⁵⁹ She added,

“We are going on the offensive now...the authorities in Oakland, the local FBI, and the Mendocino County Sheriff’s Department have shown themselves to be completely incapable of conducting an investigation into finding out who did this to me. Some of these people should be fired, some of them belong in jail themselves. The killers are still out there.”¹⁶⁰

She also stated, “What they did was not an investigation. It was an outrageous smear campaign...Now they’re going to pay. We’re going to sue their asses...We’re going to find out who did this and we’re going to demand that those people responsible be prosecuted.” Darryl Cherney, who had just returned from the annual Earth First! Round River Rendezvous in Montana was equally guarded, declaring, “I’m worried about some bozo out there with a bomb. My happiness with the district attorney’s decision not to prosecute is tempered by the fact that there’s a would-be assassin

¹⁵⁶ Rose, July 18, 1990, op. cit.

¹⁵⁷ “Bari Vows to Resume Fight”, by Mike Geniella, *Santa Rosa Press Democrat*, July 18, 1990.

¹⁵⁸ Idelson and Kramer, July 12, 1990, op. cit.

¹⁵⁹ Geniella, July 18, 1990, op. cit.

¹⁶⁰ “Redwood Summer Appears in Fort Bragg Saturday: Frame Up Dropped”, by Bruce Anderson, *Anderson Valley Advertiser*, July 18, 1990.

of environmentalists who's still on the loose and not being looked for."¹⁶¹ Bari had recently been discharged from Highland Hospital in Oakland, but her right leg was shredded and she was undergoing physical therapy at a Santa Rosa rehabilitation clinic.¹⁶² Though she had been severely maimed, if the bomber had hoped to silence Judi Bari, that attempt had failed miserably. Bari agreed, stating, "They blew up the wrong end of me."¹⁶³

While the bombing hadn't stopped Redwood Summer—if anything the bombing and its fallout may have brought it more attention and more volunteers—it still changed the focus and reframed the debate, particularly in the eyes of the corporate media. According to Judi Bari, "In spite of (the charges being dropped), the FBI was successful in damaging my reputation and discrediting the nonviolent movement I was helping to organize."¹⁶⁴ Even though Bari and Cherney were innocent, it would take time for that to be ultimately proven true. While the organizers of Redwood Summer had, thus far, succeeded in raising awareness about corporate liquidation logging, the threats to old growth forests and biodiversity, and the seemly underbelly of the corporate timber stranglehold on timber dependent communities, the bombing had halted much the progress IWW Local #1 had made at building bridges between timber workers and Earth First!. This was due partly to Bari being incapacitated, but it was no doubt also due to the fear that the bombing instilled in many workers. Worse still, the bombing served to discredit the efforts to campaign for *Big Green* and *Forests Forever*. It further muddled the debate on the Northern Spotted Owl. There was no doubt that the movements that had coalesced to form Redwood Summer had been dealt a major setback, one from which it would take years to recover. Meanwhile, Corporate Timber continued to clearcut and liquidate the last remaining unprotected redwoods on California's North Coast at an unprecedented rate.¹⁶⁵

¹⁶¹ Rose, July 18, 1990, op. cit.

¹⁶² Geniella, July 18, 1990, op. cit.

¹⁶³ "Breaking Up or Breaking Apart", by Karen Pickett, *Earth First! Journal*, Samhain / November 1, 1990.

¹⁶⁴ Bari, August 22, 1990, op. cit.

¹⁶⁵ "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, 260.

38. Conclusion

In spite of the bombing, Bari had lived, which was a huge miracle by itself, and it is clear that whomever planted the bomb in her vehicle had not intended for her to have done so. The bomber had also not planned on Cherney's presence in the vehicle (his decision to ride with Bari had been unplanned and made at the last possible moment). The bomb had been meant to kill Bari and her alone, and leave behind a mystery, a discredited leader, and fractured and broken movement. Cherney's having also been there and having gone through the trauma had created the unintended consequence of providing Bari with a witness who could independently verify and corroborate her every word (which, as it turned out, he did) thus further undermining any case that could be made for her guilt. Nevertheless, the bombing was nothing short of a huge tragedy for Judi Bari, due to the physical and emotional trauma and the intense pain and suffering she endured afterwards. While it may be something of a stretch to say that the bombing ultimately led to Bari's death (in March 1997 due to breast cancer) even that is not out of the question, and the loss of her life was a major setback to those who would challenge business as usual.

Bari's and Cherney's legal triumph was a victory, but not the final victory. The question of who bombed them still remains unsolved, but assuming that Bari and Cherney and their supporters (and to be certain the author is one) are correct, and the bombing was indeed a conspiracy involving both Corporate Timber and the FBI, the answer to the question, "Why?" bears little mystery at all.

Clearly *someone* was trying to disrupt, discredit, and misdirect the coalescing radical, populist opposition to Corporate Timber on the North Coast, whether they participated in the bombing or not. Certainly, the bombing was itself designed to do that, so it makes sense to conclude that the bombing and the disruption were part of a single, multifaceted effort. If asked, "cui bono?" the most likely answer is a combination of Corporate Timber (namely representatives from all three of the major corporations, Georgia-Pacific, Louisiana-Pacific, and Pacific Lumber) with the help of the FBI with the tacit (or perhaps approval) of the Bush (senior) Administration. The FBI had gone to great lengths to try and discredit Earth First! already in Arizona, and clearly the same telltale signs of a COINTELPRO operation are evident in the Bari and Cherney bombing. If G-P was involved somehow, there is no direct evidence, but evidence of L-P's involvement is quite readily apparent. As for Pacific-Lumber, Bari and Cherney later discovered a cordial "chummy" letter to FBI Director William Sessions from a

Maxxam board member.¹ There is ample indirect evidence and a clear motive linking all three to the bombing.

There are those that continue to insist that the bomber was a lone, independent nut who had inadvertently been whipped into a vigilante mob hysteria by Corporate Timber and took the latter's extreme rhetoric far too seriously. There are substantial holes in this hypothesis, including the Frank Doyle's deliberate obfuscation of the evidence, the FBI's and Oakland Police's attempts to frame Bari and Cherney, the detail provided in the Lord's Avenger letter in spite of the impossibility of the claim by the writer that the bomb had been placed in Bari's vehicle in Willits, the all too numerous parallels with past FBI COINTELPRO operations, the COINTELPRO like attempts to disrupt Earth First! (including the fake memos, phony press releases, and death threats), and the *already proven* COINTELPRO disruption of Earth First! in Arizona and its link to the bombing. A lone "nut" certainly didn't accomplish all of *that*, and there are far too many coincidences and similarities for this to merely be FBI "stupidity".

There are others who have postulated that the FBI's involvement was by rogue elements within the agency, either overzealous "patriots" convinced that radical leftist activists really do represent a threat to life, liberty, and the American Way, who acted without official sanction by the US Government, and therefore, Corporate Timber had no involvement. This is certainly possible, and again, Bari and Cherney have entertained this possibility. However, if this were the case, it doesn't explain the use of L-P land for the bombing school, the timing of the death threats and fake press releases (which followed the renunciation of tree spiking), the collaboration between the FBI, right-wing hate groups (such as the Sahara Club), and wise use front groups, such as WE CARE and Mother's Watch. Of course, these could be rogue elements whose express purpose was to enable Corporate Timber, but this is only the barest minimum point to which Corporate Timber could have been involved given the evidence, and no evidence whatsoever (and the widely assumed benevolence of the capitalist class, a highly dubious and mythical notion itself, does *not count* as credible evidence), absolves them of direct involvement. Indeed, one could conceivably argue that there is no credible evidence that the highest authorities within Maxxam, Louisiana-Pacific, and Georgia Pacific did *not* at least have some foreknowledge or even direct involvement in the planning of the bombing.

Indeed, the theory that best fits the facts is that the bombing of Judi Bari and Darryl Cherney was the result of a collaboration of the FBI, Oakland Police, Maxxam, L-P, and G-P with the aid of key enablers from the Wise Use movement. The specific individuals involved in that collaboration and the level of their authority remains unknown. The *motivation* for such collaboration is obvious, and that's class struggle.

¹ "The Judi Bari Bombing Revisited: Big Timber, Public Relations, and the FBI", by Nicholas Wilson, *Albion Monitor*, May 28, 1999.

The capitalist class, by nature, engages in class struggle against the working class. Maximization of profit requires that labor be regarded as a commodity and that workers be institutionally coerced—through market discipline, and sometimes state intervention—to work as cheaply as possible and as productively as possible, in spite of the fact that labor produces all wealth. Certainly the experiences of the timber workers described in this story can attest to *that* (provided that they still live to tell the tale) To not do so is to not follow capitalism's dictates. The IWW challenged that world view and as a Wobbly, so did Judi Bari.

Further, capitalism inherently wages war on the environment by privatizing the fruits of its mode of production while at the same time externalizing the costs of that activity, usually to those least able to resist the shifting of such burdens. However, the Earth is a closed system and costs cannot ever completely be externalized. There is only one planet Earth. Other planets similar to Earth, capable of supporting Earth-like life (albeit most likely with incompatible amino-acid—and thus poisonous—structures) may exist, but the capacity of human beings to travel to them, let alone colonize them (assuming such an accomplishment is wise or beneficial) remains far distant in our future, assuming we have a future. Yet, capitalism cannot ultimately survive without ultimately destroying the ability of human civilization (and quite possibly life on Earth itself) to survive. The ideology of capitalism is essentially “growth for growth's sake”, and, as Ed Abbey correctly surmised, *that* is the ideology of a cancer cell. It is well known that even cancer cells have a survival instinct, albeit suicidally so. Earth First! aimed to put a stop to the cancer's growth.

Capitalism preaches competition *within* its context (albeit far less than its promoters would have others believe), but tolerates very little competition *to* its context, and when that competition to its context becomes a challenge, capitalism has historically resorted to repression, violence, or even murder to maintain its supremacy, all under the cloak of law and order. Anyone or any group who challenges that logic effectively is seen as a threat and is to be effectively neutralized. Already the FBI had infiltrated Earth First! in Arizona and Montana, and had entrapped Dave Foreman and Peg Millet. Darryl Cherney had his own theory, that the bombing may have been a direct response to the renunciation of tree spiking by northern California and southern Oregon Earth First! (and IWW) members. In order to continue to paint Earth First!ers as “terrorists” the employing class had to make Earth First! appear even more violent in order to continue to divide and conquer, pitting workers against Redwood Summer organizers.² Judi Bari had certainly proven to be a much more effective at bridging the supposed gap between supposedly antagonistic forces. As Beth Bosk recalls:

Judi Bari, was saying it with great charisma, pushing into the vocabulary the concept of “corporate greed”, creating a mass movement that would also involve workers. I'm not so sure how far she was getting with ‘workers’,

² “Earth First! and COINTELPRO”, by Leslie Hemstreet, *Z Magazine*, July / August 1990.

but if an illusion, it was an illusion that fed the very energies in her we all benefitted from.

“Whom she was attracting into the Earth First! movement with her denunciations of tree spiking, and her fearlessness. and her anti-corporate vocabulary, were more and more re-inhabitants, locals willing to stop cuts, literally willing to sit down in a road, burrow holes, occupy trees, actually stop men from bringing trees out or stop men from going into the woods while court orders or politics proceeded. People were becoming full-time activists. It was analogous to what had happened in the south 25 years ago in the Civil Rights Movement, that feeling of now or ever.

“But the numbers were still minuscule in comparison to the power of the corporations, the likes of Maxxam and L-P, so Judi came up with the idea of ‘Redwood Summer’, freedom riders for the forests coming into the northern counties from all over the country to help slow down logging until the voters of California could decide on the *Forest Forever* Initiative, in November.”³

The precedents for COINTELPRO’s past disruption of leftist organizations and movements are many. There is enough evidence to convincingly show that the bombing was nothing less than a direct attack on Earth First!, the IWW, Judi Bari, Darryl Cherney, Redwood Summer, and anyone else who would disrupt business as usual

Gary Cox had warned that (fighting back in the) class war was not polite and would likely result in repression, and Earth First! and IWW Local #1 had *already* been subjected to violence, but as Bari pointed out, not on the scale of a bombing:

“We were all naïve little kids, never thinking this could happen to us. When we talked about nonviolence training, we were worried about being punched...We know what their tactics have been against black people, against Indians, etc. And because we’ve grown up with this white, middle-class privilege, it never crossed our minds that they would use the same unspeakable tactics on us.”⁴

Fortunately, following the bombing Earth First!ers intuitively understood that their movement had come of age and there was no turning back. Cox’s warnings would be heeded. The *Earth First! Journal*, issued the following statement:

“Let us not kid ourselves about the future of ecologically-based, nonviolent resistance. The violent response (by the powers that be) will increase. We

³ “The Reinhabitant’s Perspective: Naomi Wagner”, interview by Beth Bosk, *New Settler Interview*, #51, August 1990.

⁴ “Some People Just Don’t Get It”, Judi Bari interviewed by Bruce Anderson, *Anderson Valley Advertiser*, June 13, 1990.

will increasingly be singled out by the hired thugs of the ruling minority for harassment, intimidation, infiltration, and arrest. The US always responds to threatening popular movements with repression, as evidenced by the anti-labor violence of the thirties, McCarthyism of the fifties, National Guard murders in the seventies, and now a return to violent tactics in the nineties. Earth First!, being the most active and visible expression of ecological resistance is the current target, the lesson being offered to the viewing American public of the price of resistance to the powers in control.

“Now we face the challenge of responding to state-sponsored violence directed at our cause and against us individually. The whole world is watching. It is up to us to demonstrate the continuing leadership of EF! In developing appropriate and effective methods of resistance...

“We must be exceedingly careful, in the coming volatile times, to avoid violent response to the controlling minority, whether they be official state thugs or their hired minions. Any violence on our part will be turned against us, widely publicized, and used to split and disempower our movement...”⁵

Long time peace activist Louis Korn stated that, “the bombing is an escalation, and more is expected...The bomb that crippled Judi Bari and injured Darryl Cherney is part of the violence destroying life on this planet.” He argued that even if one opposed the proposed nonviolent civil disobedience being organized for Redwood Summer, morally they should condemn the bombing, because to not do so was to enable and condone violence and terrorism on the part of the perpetrators, in essence, the employing class. Korn elaborated:

“Our force is not physical coercion. (Our opponent already monopolizes that), but rather obstruction, being constantly in the way. We must respond to his frustration, anger and fear, with understanding, empathy, sympathy, and willingness to help the other toward a mutually acceptable alternative to his destructive livelihood. We are confronting not the ruling classes, inaccessible to us and insulated by their power and wealth from the poverty they have collectively created, but the ruled, the working classes on whom their power and wealth depend, people only a few paychecks away from homelessness.”⁶

He also emphasized that the bombing and arrests would not hold back the rising tide, stating, “Incapacitating our organizers will not stop Redwood Summer. Their

⁵ “Response to Violence”, by Mike Lewis, *Earth First! Journal*, Litha / June 21, 1990

⁶ “The Bombing: We’re All Involved”, by Louis Korn, *Country Activist*, June 1990 and letter to the editor, *Santa Rosa Press Democrat*, June 1, 1990.

charisma brought us together. But we work without leaders, being autonomous people with a common purpose.”⁷

* * * * *

Indeed, Redwood Summer happened and was at least partially successful. It drew tremendous attention to the plight of old growth forests and the redwoods. It did slow down logging (though timber harvests were happening at an unheard of pace), and it at least opened the door to challenge what Darryl Cherney called “speciesism”, the notion that humans were superior to all other species. In spite of the bombing and several incidents of violence perpetrated against the Redwood Summer participants, the latter *unflinchingly*, without exception, adhered to the nonviolence code in *every* action throughout the *entire* summer, and by doing so they earned the respect of a lot of skeptics.

However Redwood Summer failed dramatically to bridge the gap between timber workers and environmentalists sowed by Corporate Timber—divisions that were exacerbated by the bombing—and much of this is due to Bari’s absence from the front lines, since she, more than anyone else, possessed the understanding and the skill to bridge those gaps. Further, the *Forests Forever* initiative failed to pass, though not by much. The harshest opposition to the measure came from California’s timber dominated rural counties, but the best results among them, where the measure received the most favorable votes were in fact those with the greatest amount of Redwood Summer activity, namely Humboldt, Mendocino, and Sonoma Counties. Meanwhile, the Corporate Timber-backed countermeasure failed horribly, even in the timber-dominated counties, sometimes by a worse vote than *Forests Forever*!

Judi Bari recovered, though she was maimed and disfigured for the remainder of her life and experienced much shellshock and emotional distress in her remaining years. Under Bari’s leadership, Earth First! – IWW Local #1 organized additional campaigns, including Redwood Summer II in 1991 (though it was far smaller in scope than Redwood Summer I), the Albion Nation uprising from 1992-93, and they continued the campaign to save Headwaters Forest until and after Bari’s death. Some of the momentum towards bridging the Corporate Timber manufactured gap between the timber workers and environmental activists that had been lost by the bombing was regained in the Albion campaign. A logger named Ernie Pardini and his younger brother Tony actually joined in the campaigns. In 1993, Ernie Pardini became the first licensed logger to conduct a tree sit in protest against Maxxam. After Bari’s death, when Maxxam attempted to bust the United Steel Workers Union of America in a lockout of its Kaiser Aluminum plants in the Pacific Northwest, solidarity from Earth First!ers led to an alliance between the two, including the USWA’s support in the campaigns against Maxxam. That collaboration paved the way for the famous “Teamsters and Turtles” connection during the anti-WTO protests which began in Seattle on November 30, 1999.

⁷ Korn, op. cit.

Meanwhile, continued activism and circumstance led to the eventual exodus of all three of the principal timber corporations on the North Coast. By the opening years of the 21st Century, Georgia Pacific liquidated its holdings northern California and closed the mill in Fort Bragg. G-P no longer retains a significant presence in the region, but internationally they are as much a presence as ever, and—at the time of this writing—they have since been acquired by the infamous and ultra-reactionary Koch Brothers.

Louisiana Pacific increasingly pursued composite wood product lines, such as wafer-board, with mixed results at best. At one point a class action lawsuit against L-P resulted from one of these products showing signs of rot (to the point that one home owner noticed *mushrooms* growing out of the L-P composite siding), and ultimately the corporation had to settle for several million dollars. Nevertheless, by the end of the first decade of the 21st Century, L-P had divested itself of all of its timber holdings, logging operations, and conventional lumber milling operations. On the North Coast, a new company, the Mendocino Redwood Company (MRC), created by the Fisher Family, owners of the GAP, assumed ownership of L-P's former holdings there. The Fishers have promised to adopt the sustainable practices championed by Pacific Lumber in the Murphy days (but thus far the results have been mixed).

In 2008, Pacific Lumber declared bankruptcy. A Texas court approved the sale of P-L to the MRC on July 8, 2008, who created a new subsidiary called the Humboldt Redwood Company (HRC). For the most part, HRC follows the practices outlined by its parent, and has even received the somewhat favorable approval of Darryl Cherney (though he remains ever vigilant in his watchfulness over them and still lives near Garberville). According to Darryl Cherney, due to the efforts of Earth First!, EPIC, the IWW, the USAW, and all of their allies, Maxxam and Hurwitz were unable to continue in their corporate takeovers after the acquisition of Kaiser in 1988.

Meanwhile, Greg King returned to environmental activism, including taking over executive directorship of the NEC in Arcata, for a time. John and Candy Boak *still* regard King and Cherney as “unwashed-out-of-town-jobless-hippies-on-drugs,” and still believe the Earth Firsters will destroy life on the North Coast (if they haven't done so already), but most others and the body of evidence disagrees with the Boaks.

* * * * *

Thus, dear reader, we come to the end of this particular history, but it is not the end of history. “History” has been declared “dead”, but such declarations are premature. Though Bari and Cherney triumphed in their case against the FBI, the bomber remains unidentified and at large, and the forces for whom the bomber served remain unnamed and unpunished. In spite of the FBI's continued denials, COINTELPRO undoubtedly still exists even today and continues to disrupt popular movements for change. Radical activists from the IWW to Occupy, from Earth First! to the antiwar movement are routinely subjected to infiltration, disruption, and subterfuge, especially in the wake of 9/11. The business unions are as collaborationist as ever and workers face ever increasing austerity as capitalism struggles desperately to maintain its hegemonic stranglehold over the hearts and minds of its inadvertent subjects, and human

civilization and life on Earth itself is even more imperiled than when it was when this story began.

The IWW and Earth First! still exist (in spite of Kate Coleman's contrary assessments of them), and the need for joint campaigns by both are as pressing as ever. Grassroots coalitions have united to fight mountain-top removal coal extraction in Appalachia; natural gas "fracking" in Alberta, Texas, and North Dakota; oil spills in the Gulf of Mexico; pipelines such as Keystone X-L, Enbridge Line-9, and the Northern Gateway (among many others); crude-by-rail trains (some of which have quite literally destroyed whole towns such as Lac-Mégantic); and deforestation (yes, still). Who knows where these movements might be had Bari still lived to this day, and who knows how advanced the organization would look had she and Darryl Cherney not been bombed?

The course of history is charted by the choices we make individually and collectively. While the powers arrayed against the people (and all species of the Earth) are great, and they possess enormous wealth and great power, they are limited in numbers. Has Judi Bari lived long enough to join in the "Occupy" movement, she would not talk of the 99 percent versus the 1 percent.⁸ She would speak of the 99.9999 percent against the .0001 percent. She would point out how the .0001 percent was threatening the existence of not only the 99.9999 percent, but 100 percent of life on Earth. She may have also gone on to spearhead a new "green syndicalist" movement, as suggested by Jeff Shantz.⁹ Great leaders primarily inspire movements and help define them, but they don't make them. Just as labor produces all wealth, the rank and file drive all movements forward. We the people must each carry the torches that Judi Bari left to us if we wish justice done and life to survive and continue. Militant, non-violent, gender equal, class conscious, deep-ecology, with just the right portion of industrial unionism are our banners. Only now, with humanity's continued existence on the Earth standing on the precipice of certain disaster, are radicals—let alone everyone else—waking up to the need for a broad, intersectional movement to confront that which threatens our survival.

We are called upon to act now before it is too late. Justice for Judi Bari means justice for us all, for it is, in fact, *capitalism* that bombed Judi Bari. Bringing the perpetrators of the bombing to justice involves far more than a mere criminal investigation of the solving of a simple mystery. It requires a complete revisioning and reconceptualizing of how we, the human race, live on this Earth and our relationship to nature itself, for we are an inseparable part of it, and our current models neither acknowledge that stark reality nor do they mesh harmoniously with it. As shocking a notion as that might be, the alternative to capitalism needn't—in fact, *mustn't* be the mistaken notions of the past (whether Stalinist gulags, Fascist hells, or even failed utopian communities). The

⁸ "We are the 99%" is a meme credited to another IWW member, David Graeber.

⁹ Shantz, Jeff, *Green Syndicalism: An Alternative Red/Green Vision*, Syracuse, NY, Syracuse University Press, 2012.

complete answer may not be known, but it must be found soon. We, the people must bend the arc of history before we pass the point of no return.

No Compromise in Defense of Mother Earth!

An Injury to One is an Injury to All!

!Viva Judi Bari!

The Beginning...

The Ted K Archive

Steve Ongerth
Redwood Uprising
From One Big Union to Earth First! and the Bombing of Judi Bari

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