

LDIR#098

LOG SALVAGE

1969-1971

ATTENDANCE
LOG SALVAGE HEARING
July 29, 1969
Ketchikan, Alaska

<u>Name</u>	<u>Address</u>	<u>Affiliation</u>
Frank H. Murkowski	Pouch EE, Juneau	Commissioner, Department of Economic Development
Frank M. Homan	Pouch EE, Juneau	Department of Economic Development
Paul T. Bowman	Box 2387, Ketchikan	Self
Andy Horwath, Sr.	Box, 832, Ward Cove	Ketchikan Log Salvage
Ed C. Stephenson	Box 703, Ketchikan	Ketchikan Log Salvage
Bob Peavey	1009 Marine View	LeMay Logging Company
Dick Hamlin	Box 118, Ketchikan	Self
Eugene Engel	Box 751, Ketchikan	Logger
Dick Whittaker	Box 13, Ketchikan	Attorney
Bill Baker	Box 428, Ketchikan	Self
Dave Valentine	332 Uplandway, Ketchikan	Valley Logging Company
Al Dennis	Box 31, Craig	Logger
John D. Allen	Box 835, Ketchikan	Self
Roger Sylvester	Box 3-8000, Juneau	Forester, BIA
Frank Peratrovich	Box 368, Klawock	West Coast Development Corp.
A. Fred Miller	Box 1769, Ketchikan	Attorney
W. H. Hawley	Box 1564, Ketchikan	Attorney Generals Office
Fred Germyn	Box 428, Ketchikan	Self
Marvin Wells	Box 396, Ketchikan	Self
Ken Foreman	Box 271, Ketchikan	Self
Lawrence Carroll	Pouch SA, Juneau	Department of Revenue

RECEIVED
SEP 17 1969

DEPT. OF ECONOMIC DEVELOPMENT

Dave Ullin
General Delivery
Petersburg, Ak. 99835
September 15, 1969

Mr. Frank M. Homan

Development Specialist

Dept. of Economic Development

Pouch EE - Juneau 99801

Dear Mr. Homan

Thank you very much for the big envelope of Log Salvage information you sent. I received it Sept. 12. I had almost given up receiving anything before Sept. 15 so I had started to write a letter giving my opinion of the way a log salvage program could be run. The information you sent helped give me more ideas.

After I read all of the testimony of the Ketchikan

I

Dear Sirs - Better late than never. Have been busy fishing. Have logged & beached logs for the past 20 yrs. in the Ketchikan area. In the past the local mills have been interested only in fresh logs - logs that have not been scuffed on the beach. 95% of all salvageable logs will not meet this requirement.

These logs which we call buckskins are in the main just as good a quality as fresh logs. They would have to be taken to make the program successful. Market? Obviously limited export is the only answer. Have no doubt the Japanese and some Stateside mills would be interested.

Also we have in the past

Timber Salvage Meeting Scheduled

The Department of Economic Development, in cooperation with the Department of Natural Resources, has taken a step toward the solution of a long-standing problem involving the salvage of logs from State-owned tidelands and beaches in Southeast Alaska.

Commissioner Frank H. Murkowski, chairman of the Governor's Timber Task Force, has called for a meeting of all interested parties to be held in Ketchikan on July 29, beginning at 9:00 a.m., at the Elks Lodge.

"We will call together representatives of the Forest Service, the Alaska Department of Natural Resources and the Attorney General's Office, Governor Miller's Timber Task Force, the pulp industry, the

sawmill industry and representatives from the Alaska Logger's Association as well as other interested individuals," Murkowski stated.

Several people have recently expressed interest in utilizing the logs found along the beaches. Murkowski added that the problems of ownership and jurisdiction are the major issues involved in this complex situation.

"It is hoped that with a thorough airing of the various positions, sufficient understanding will result in a satisfactory agreement. A workable solution to this problem is paramount to Governor Miller's policy of total utilization of Alaska's forest resources," he concluded.

and the use of it in marking or branding forest products or booming equipment, the provisions hereof shall apply as to the forest products and booming equipment so marked or branded. [1957 c 36 § 8; 1925 ex.s. c 154 § 14; RRS § 8381-14.]

76.36.150 Renewal of marks or brands—Effect of failure to renew—Abandoned marks or brands. The supervisor of forestry shall on or before September 30, 1949, and each five-year period thereafter, notify by registered letter the owner or owners of all log marks or brands then of record in the state, to renew the same. A fee of five dollars shall be charged for new brands or marks, assignment of brands or marks and renewing marks or brands. Upon receipt of said fee, the supervisor of forestry shall give a renewal certificate, which shall give the holder and owner thereof the exclusive right to continue the use of said mark or brand within the state. If any owner or owners of a mark or brand which is on record fails to pay such renewing fee within three months after the notification as herein provided, such brand shall become forfeited and no longer be carried on said records.

On and after January 1, 1950, no person, firm, association, or corporation shall claim or own any log mark or brand which has not been renewed in accordance with the provisions of this section, and any failure to renew the log mark or brand as required by such provisions shall be deemed the abandonment of the same, and any other person, firm, association, or corporation shall be at liberty to adopt or use such mark or brand so abandoned: *Provided*, That no person, firm, association, or corporation shall be at liberty to claim or use such abandoned mark or brand until after the same has been recorded in his or its own name, in the manner provided in this chapter: *Provided, however*, That no abandoned or canceled brand may be reissued for a period of one year after such abandonment or cancellation, except to the previous owner or his assignee: *Provided further*, That in case of a dispute as to the right to the use of such mark or brand, the supervisor of forestry shall determine which of the applicants is entitled to the use thereof. [1957 c 36 § 9; 1949 c 216 § 1; Rem. Supp. 1949 § 8381-16.]

Fees: RCW 76.36.080.

76.36.160 Deposit of fees. The supervisor of forestry shall deposit all moneys received under this chapter in the log patrol revolving fund. [1957 c 36 § 10.]

76.36.900 Severability. If any section or provision of this chapter shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the chapter as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional. [1925 ex.s. c 154 § 15; RRS § 8381-15.]

PROVINCE OF BRITISH COLUMBIA

FOREST ACT

(R.S.B.C. 1960, CHAPTER 153; 1961, CHAPTER 20;
1962, CHAPTER 24; 1963, CHAPTER 33;
1964, CHAPTER 21; 1965, CHAPTER 13;
1966, CHAPTER 18; 1967, CHAPTER 19;
1968, CHAPTER 17)

PRICE, 75 CENTS

[Consolidated for convenience only, July 1, 1968.]



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in right of the Province of British Columbia.

1968

OREGON

LOG PATROL ACT

532.510 Definitions. As used in ORS 532.510 to 532.710, unless the context requires otherwise:

(1) "Boom company" means a company organized in this state for the purpose of catching, booming, sorting, rafting and holding logs, lumber or other timber products.

(2) "Log patrol" includes all persons engaged in activities in connection with the recapture, repossession and delivery to owners, boom companies or others of stray logs, boom sticks and boom chains, except the owner of such logs, boom sticks and boom chains, his agent or the transportation agency that towed or transported the stray logs.

(3) "Stray logs" shall mean the following logs, pilings and poles of merchantable value which have escaped from the owner, transportation agency, storage or while being transported:

(a) That are adrift in the waters of the state.

(b) That have been adrift and are stranded on the beaches, marshes, tidal or shorelands of the waters of the state.

(c) That are partially or wholly submerged in the waters of the state.

(4) "Waters of the state" means those parts of the Columbia River and its tributaries within the jurisdiction of this state capable of being used for the transportation or storage of forest products.

532.520 Persons holding stray logs or acting as log patrol must comply with ORS 532.510 to 532.710. After September 30, 1957, no person shall hold any stray logs or act as a log patrol on or adjacent to the waters of this state without complying with the provisions of ORS 532.510 to 532.710.

532.530 License and bond of person acting as log patrol. Any person desiring to act as a log patrol shall obtain a license from the State Forester. The applicant shall apply to the State Forester on a form to be prescribed by him. The application shall be verified and shall contain the name and address of the applicant, the name, type and size of floating equipment to be used, the mailing address of the applicant's principal place of business and such other information as the State Forester may require. The applicant shall execute and file with the State Forester a surety bond to be approved by him running to the state in the penal sum of \$10,000. The bond shall be conditioned upon the applicant's complying with all the requirements of the laws of this state governing log patrols and accounting for all stray logs taken into his possession. Each application shall be accompanied by a remittance of \$100 for each boat to be used or operated by the licensee or his agent. Licenses shall be issued for one year, and may be renewed upon payment of \$100 for each boat to be used or



FORESTRY DEPARTMENT

OFFICE OF STATE FORESTER

P. O. BOX 2289 • SALEM, OREGON • 97310 • PHONE 364-2171

SYNOPSIS OF OREGON LOG PATROL ACT & OPERATION PROCEDURES

In 1957 the Oregon Log Patrol Act was enacted as a policy of the State of Oregon to facilitate the recapture and return of stray logs to the owners or their agents, in any case where it is practicable to do so.

THE ACT:

The Oregon Log Patrol Act became effective after September 30, 1957.

TO WHAT DOES THIS ACT APPLY:

- A. This Act applies to those parts of the Columbia River and its tributaries within the jurisdiction of this State capable of being used for the transportation or storage of forest products.
- B. No person shall hold any stray logs or act as a log patrol on or adjacent to the waters, defined above, of this State without complying with the provisions of the ACT.

WHAT ARE STRAY LOGS:

"Stray Logs" shall mean the following logs, pilings and poles of merchantable value which have escaped from the owner, transportation agency, storage or while being transported:

- A. That are adrift in the waters of the State.
- B. That have been adrift and are stranded on the beaches, marshes, tidal or shore lands of the waters of the State.
- C. That are partially or wholly submerged in the waters of the State.

WHAT DOES THE TERM "LOG PATROL" INCLUDE:

"Log patrol" includes all licensed individuals or firms engaged in activities in connection with the recapture, repossession and delivery to owners, authorized boom companies or other agency approved by the State Forester, of stray logs, boom sticks and boom chains.

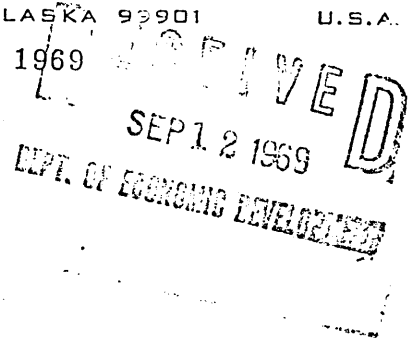
Producers of DISSOLVING PULP

KETCHIKAN PULP COMPANY

KETCHIKAN, ALASKA 99901

U.S.A.

September 2, 1969



Honorable Frank H. Murkowski, Commissioner
Department of Economic Development
Pouch E - State Capitol
Juneau, Alaska 99801

Re: Statement on Log Salvage Operation in Southeast Alaska

Dear Mr. Murkowski:

For the past 15 years Ketchikan Pulp Company has been actively engaged in logging and manufacturing Alaskan timber resources. During this period we have consistently attempted to obtain the greatest utilization from these resources and we shall continue to pursue any avenue which will economically permit us to continue this practice. Log salvaging, being one of the means of accomplishing this, has over the years been of particular interest and concern to our operations. We are very much aware of the legal complexities of this problem and also the need for legislation through which it can be effectively and economically administered. In this regard we wish to make clear the meaning which we intend of our use of the term "salvage". We do not mean maritime salvage as technically defined in the law; rather, when we use the term salvage herein we mean the recovery of logs from the beaches unless otherwise specifically stated. It is our understanding that the legal term "maritime salvage" has no application to property on land. Moreover, we further understand there is some question as to the validity of any state law dealing with property floating on navigable waters.

With the foregoing in mind we state for the record our hearty support of the need for log salvage legislation, and respectfully submit the following suggestions for your consideration for recommending legislation concerning the salvage of logs on Southeast Alaskan beaches.