

Branching Out: Maryland's Forest Stewardship Educator

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Published four times a year and distributed to more than 5,000 forest landowners, resource professionals, and others interested in forest stewardship. For a free subscription or to send news items, dates, and comments, phone 301-432-2767 x301; fax 301-432-4089; e-mail cmason@umd.edu; or mail to Branching Out, Maryland Cooperative Extension, 18330 Keedysville Road, Keedysville MD 21756-1104. The sponsoring agencies' programs are open to all citizens without regard to race, color, gender, disability, religion, age, sexual orientation, marital or parental status, or national origin.

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Timber Trespass: Where Did My Trees Go?

As our landscape changes hands and is parceled into smaller holdings, acreage is increasingly purchased by landowners who know little about maintaining and protecting their forested property. Add long work days, travel and tight schedules, and these landowners are prime targets for timber trespass and property loss. Timber trespass, the unauthorized destruction or removal of a landowner's timber, happens all too often without the landowner knowing about their loss until it is too late. Why does this happen?

It pays. The price of timber has increased over the years and will, no doubt, continue to rise as the demand for wood products increases. This is especially true for finer high-quality hardwood trees. A single high value hardwood log can bring \$1,000 or more on the market.

It's easy to do and hard to detect, especially in remote areas. A couple of valuable logs can be quickly removed and taken to mill, attracting little or no attention. Absentee landowners, those who travel frequently, and those physically unable to get about are especially vulnerable.

Property lines are poorly marked. Loggers can be confused and accidentally harvest across property lines if the boundaries are not clearly marked and shown to the cutter by the landowner. It is the landowner's responsibility to establish their property boundaries. Lack of clearly defined lines shows complacency by the landowner, and this too can invite trespass.

It's tempting, especially as valuable timber is often located near property lines. Due to uncertainty about property lines or concern for falling timber across lines, trees along property boundaries are often not harvested. These trees are very tempting to savvy timber thieves looking to make a quick dollar with minimal risk.

Prevention of trespass, while requiring an investment of time, effort and money, is certainly more time and cost effective with less emotional distress than prosecution. Probably the single most important preventative measure is education: the more you know the better off you are. Knowing your property and what is on it is imperative. If you are aware of what is growing on site, you are more likely to notice if something is missing. Use maps to aid in location. Keep an updated timber inventory and value estimate. Should theft occur, you need verification that the trees existed and their value. If you are selling timber, learn as much as you can about timber harvest operations and techniques, regulations,

grades of wood, sale methods, current markets, and loading methods. You could lose a lot of money if high-value logs are sold as pulpwood, or you are misinformed of the current market value. The more questions you ask, the more you understand, and the less likelihood for any unexpected problems, hidden costs, or loss of property.

Clearly mark property boundaries as soon as the property is purchased. If the boundaries are unclear, have the property surveyed and confirm the boundaries with your adjoining neighbors so all agree on the boundary location. Permanently mark the property boundaries with blazed trees painted with bright pigment, fence or mounds of stone, and corner markers of pipe or concrete monuments. Use gates and barriers where effective to deter trespassers.

Walk your property frequently, at least once a year, and always look for signs of unauthorized activity. If you cannot walk your property, ask a neighbor or a consulting forester to make periodic inspections of the property. Hunters can also assist with this effort as part of a lease program. The more eyes watching the area, the less likely you are to have any trespass problems.

Communicating and cooperating with your neighbors goes a long way to maintaining good relations and preventing disputes. When harvesting timber, let your neighbors know the location of the harvest, especially when close to boundary lines. Timber harvest contracts should clearly describe the limits of the harvest, and only harvest timber where boundaries are clearly marked. Regardless, if it is your timber or your neighbor's timber being harvested, make sure you show loggers the limits of your property to prevent confusion. Of course, a reputable harvester will require that boundary lines be clearly marked prior to cutting as they neither want nor can they afford to be associated with any trespassing disputes. Note: a tree whose trunk straddles a property line is jointly owned by both landowners. Removing such a tree without permission from both landowners constitutes trespass. Once again, a strong argument for communicating and cooperating with your neighbors.

Use qualified professionals, and get a second opinion from a qualified, independent forester/logger on sale methods, current markets, harvesting techniques, and volume of timber. Regardless of whether you sell lump sum or pay-as-cut, know what you have and get the full value for your timber. While most loggers are honest and pay fair market value for timber, watch for warning signs that there might be problems such as pressure to rush into a sale or delayed payments.

Document, document, document. Timber theft can also occur without trespassing. Loggers, while conducting a legitimate timber sale, may remove and sell trees not intended for harvest, intentionally or otherwise. A landowner can be undercompensated for a lump-sum timber sale should the appraisal not detail all timber cut (hardwood logs and pulpwood) or cut areas outside the designated location. Therefore, prior to a timber sale, specify the location and the number of trees to be harvested and mark those to be harvested with paint. Have a concise and thorough contract detailing the conditions of the sale, inspect the harvest frequently, and monitor the merchandise carefully. On a pay-as-cut timber sale, the price per unit must be in line with the local market and stand conditions, and, as timber can also be lost in transit to the mill, every ton must be accounted for. The logging crew should document in writing that each trailer is loaded, so check load reports and scale tickets.

Check invoices closely for equipment billed by the hour to ensure that you are not overcharged. Heavy equipment often has a clock to document hours used, which is reliable unless tampered with. Make sure the loads of stone recorded make it onto the site, that culverts are properly placed, the number of trees per acre paid for reforestation is actually planted, and ounces of chemical per acre claimed were actually used.

You or a qualified representative should be onsite during the operation, road maintenance, and reforestation. You should be notified when the project begins and ends, and spend time inspecting ongoing activities. Always ask a lot of questions!

Prosecution. In the unfortunate event that timber trespass does occur, there are steps that can be taken to encourage compensation. You must be able to determine who did it, prove who did it, prove that property was damaged or stolen, that the property was yours, and that the accused acted willfully. First, try communicating with the guilty party (ies) and attempt to resolve the situation without going to court. Legal cases can be long and costly with no guarantee of adequate compensation. Should this fail, then:

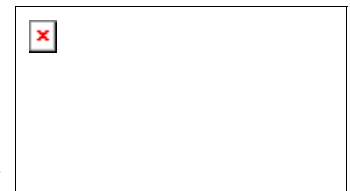
- Record the date, time, and location of the theft. Document or take pictures/videos of the evidence. Document any eyewitness testimony.
- Report the incident to the local law enforcement authorities.
- Contact a private consulting forester to assist you in detailing the event.

They can estimate loss through measurements and estimate fair market value prior to the theft. A list of consulting foresters is available online at www.naturalresources.umd.edu or by contacting your local state forester.

In Maryland, if your trees are cut without your consent, the law allows for landowners to recover triple the value of the timber damaged or removed, plus legal fees, even if property boundaries are unmarked. For information on timber harvests, property boundaries, forestry regulations, and more, check our website at www.naturalresources.umd.edu or contact your local cooperative extension office. You can also read about some eye-opening timber scams at www.daviesand.com and extension.usu.edu/cooperative/publications. Click on Utah Forest News, Volume 4, Number 2. It's your property, so act responsibly and take care of your timber.

Managing Your Forests for Reptiles and Amphibians

Reptiles and amphibians are an important component of the forested ecosystem, helping to maintain nature's delicate balance both as predators, eating insects, rodents and other pests, and as prey for birds and mammals. Amphibians are referred to as the "canaries in the coal mine," because their permeable skin and aquatic lifestyles make them sensitive to chemical uptake and environmental changes, particularly the subtle declines in water quality. Unfortunately, amphibians and reptiles are on the decline, both in Maryland and worldwide, due to deforestation, pollution, habitat loss, and climate change. Landowners can help protect these creatures through management of their forests in ways that benefit amphibians and reptiles. Even if your primary focus is not management for amphibians and reptiles, there may still be management activities you can do to help improve your forests for these species.



Where do I start? Start by identifying the types of habitat that you have on your property, not only forested habitats but also wetlands, meadows, and cropland. Consult your local [Department of Natural Resources \(DNR\) forester](#) or wildlife agent for input. Check aerial photos and maps available at your local [Natural Resource Conservation District](#) going beyond the scope of your property and looking at how your land fits into the larger landscape, how it is connected to your neighbor's property.

Find out what types of amphibians and reptiles are in your area, and if there are any rare, threatened, or

endangered species. This information is available through the [Maryland DNR Wildlife and Heritage Service](#).

Read up on the habitat needs and life cycles of these species: where do they hibernate in the winter; where do they breed; how far do they move; what do they eat? The more you know about their needs, the better you will be at identifying what important aspects of their life cycle your property does and does not meet. Information on life cycle and habitat needs can be found in identification manuals, the Internet, The [Center for Reptile and Amphibian Conservation and Management](#), and by contacting [DNR Wildlife and Heritage Service](#).

Once you know what species you have, what their needs are and how well your property meets those needs, you can develop a management plan. This is where you might want to request assistance from the regional experts to aid with both design and implementation of your plan. You may already have all the necessary components on your land, so remember, sometimes the best management is to do nothing at all other than protecting your forests and monitoring your forest's health.

In addition to monitoring your forest's health, monitor the status of the amphibians and reptiles you are targeting. Keep an eye out to see if your activities are effective. If not, reconsider your efforts and get additional input.

What are some of the forest management activities that benefit amphibians and reptiles? Amphibians and reptiles benefit from large undisturbed tracts of forests, so avoid fragmenting forest when possible, be it by road, homes, or electric lines. Consider clustering impacts in one area or relocating impacts along a forest's edge as opposed to cutting into the interior. Amphibians and reptiles need safe travel corridors to move from one area to another and benefit from connections such as hedgerows between woodlots or wooded stream corridors.

Protect unique habitats such as wetlands, caves, cliffs or springs, which can be important during certain times of an animal's life cycle. Forested stream corridors are particularly important habitats, as these critical travel corridors are sensitive to disturbance and easily eroded. The wider the buffer the more valuable to wildlife, so maintain a 50-100 foot buffer around sensitive areas when possible.

Clear cuts create a highly disturbed site that can be detrimental for certain species such as salamanders due to higher temperatures, lower humidity, and potential exposure to predators. Selective cutting can minimize disturbances to soil and vegetation, especially in the winter months when the ground is frozen. Limit the size of monocultures such as pine plantations and encourage mature, diverse stands of forests with an established understory. Mimic historic disturbances, such as fire, but do so in a controlled manner, working with trained professionals and burning at times that minimize impacts to animals.

Leave woody debris such as logs and snags that provide shelter, humid retreats, and foraging sites for lizards and skinks. Many species, such as frogs and salamanders, are sensitive to chemicals, so minimize the use of pesticides and avoid spraying wetland areas. Control invasive non-native plant species, which can quickly degrade the value of the habitat by thickly covering ground and trees. Remove invasive species mechanically when feasible, and restore degraded wetlands, reestablishing the original hydrology and planting with native vegetation.

Even if these management activities do not fit your main objectives for your forest, consider taking steps to manage your forest, or a part of your forest, for amphibians and reptiles. What you do to your forest today can have a positive impact for years to come. For more information, contact your Maryland DNR Wildlife and Heritage Service and/or Forest Service by phoning 1-877-620-8DNR or log onto their

website at www.dnr.state.md.us. Partners in Amphibian and Reptile Conservation at www.parcplace.org has educational materials on amphibians and reptiles including Habitat Management Guidelines for Amphibians and Reptiles of the Midwest. The Northeast, Southeast, and Southwest versions will be available soon and the Northwest version will follow. The Center for Reptile and Amphibian Conservation and Management lists species accounts at www.herpcenter.ipfw.edu.

Maryland Tree Farmer Awards

Maryland Tree Farmer of the Year:

Henry and Nancy Maier, Certified Allegany County Tree Farmer #1030, Oldtown, MD

Maryland Institutional Tree Farmer of the Year:

Broad Creek Memorial Scout Reservation Tree Farm,
Certified Harford County Tree Farm #229, Whiteford, MD

Congratulations on a job well done!

Upcoming 2005 Stewardship Events

* **June 10-11. MFA Loggers/Forestry Field Days**, Garrett County Fairgrounds, McHenry, MD. Events include commercial exhibitors of mill and logging equipment, educational displays, forestry demonstrations, chainsaw carvers. Great fun! A family event! So come young and old! For information, contact MFA at 301-895-5369 or visit their website at <http://mdforests.org/fieldays.htm>.

***November 4-5. Celebrating Our Past Creating Our Future, MFA Annual Meeting**, Rocky Gap, east of Cumberland, MD. Pre-registration required. For information, contact Jack Perdue (jackperdue@msn.com) or Karin Miller (mdforests@hereintown.net) or call MFA at 301-895-5369.

***April 14. Eastern Regional Meeting of Maryland Tree Farmers**, Salisbury, MD. Contact Billy Laws at 410-632-0305.

***May 18. Western Regional Meeting of Maryland Tree Farmers**, Cumberland, MD. Contact Don Malaney at 301-478-2758.

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