

Sustainable Forests

A resource for Georgia landowners, sponsored by the SFI Implementation Committee.

SFI & Legal Harvesting

A foundational principle of the Sustainable Forestry Initiative (SFI) is that all timber harvesting is handled legally. That is why members of the SFI Implementation Committee of Georgia supported the Georgia Timber Security law that was passed in 2014.

“We are glad that there is now a clear path for landowners to take when they have concerns, and that tougher requirements and penalties are in place to protect landowners,” says SFI Committee Member Bill Guthrie.

In this issue of the SFI Landowner newsletter, we provide some basic information about the new law and steps that forest landowners can take to avoid issues and ensure fair and timely compensation for their timber.



A security photo taken by a hidden surveillance camera.

New Timber Security Law Provides Greater Protection for Landowners

Selling timber is not something most landowners do every day; in fact, for many, it may be a once- or twice-in-a-lifetime event. Landowners should approach a timber sale like any major financial transaction, taking time to research their options and seek professional advice.

While “timber fraud” is not thought to be widespread, a new Georgia Timber Security law toughens the penalties for offenders and gives investigative authority to the Georgia Forestry Commission (GFC) law enforcement team.

“The most common issue is partial payment or non-payment for a timber sale,” says GFC Chief of Law Enforcement Brian Clavier. Most timber is sold by the unit, either by the ton or load, as opposed to lump sum sales, so timely receipt of a scale ticket from the timber buyer is required by law.

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New Timber Security Law Provides Greater Protection for Landowners

“Trespass is the second most common issue,” says Brian. “This is often unintentional if the property line is poorly marked. A logger may be authorized to harvest timber on one landowner’s property and inadvertently cross onto an adjacent landowner’s property.” To help prevent this issue, prior to harvest, landowners should ensure that property boundaries are clearly marked.

What the New Law Does

The legislation expands the authority of the Georgia Forestry Commission (GFC) to investigate, issue warrants and make arrests in timber theft cases. In the past, the GFC law enforcement team only investigated arson. It also provides the following protection for landowners:

- If timber is harvested without authorization, a landowner now may recover three times the value of the loss, reasonable reforestation costs and attorney/legal fees.
- While the scale ticket from the mill was always required as proof of sale; the timber buyer didn’t have to present it within any specific time frame. Now, they have 20 days to present a scale ticket from the receiving mill and pay the landowner.
- Landowners’ exposure to liability may be reduced in the event of an overcut or other unauthorized taking of timber if the landowner takes certain steps (not required) including clearly marking property lines, having a survey conducted or executing a letter of agreement on property line location with the adjoining landowner prior to harvest. A copy must be provided to the timber buyer.
- The new legislation establishes a four-year statute of limitations from the time of the taking of the timber during which a landowner may pursue damages.

Getting the Word Out to Landowners

Georgia’s forestry community has been working to get the word out to landowners who may need help. The new law that provides GFC with expanded investigative authority and includes tougher penalties for violators already appears to be encouraging more people to report complaints, based on recent activity.

“In past years, we’ve only had about 15 or 20 cases that have made their way to us,” says Brian. “Since July, we have had 36 complaints already, some of which were quickly resolved and a few that required additional investigation.” Neighboring states like South Carolina and Alabama typically have 100 to 150 investigations a year.

“We feel confident that the majority of people in the forestry community are good, honest people, and that there’s just a handful taking advantage,” says SFI Committee Member Bill Guthrie and Weyerhaeuser forester. “But, we want to make sure landowners are aware of the laws that protect them and know how to get help.”

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Report Your Concerns

Call: 1-800-GA-TREES (428-7337)

Email: enforcement@gfc.state.ga.us

For more information, go to the GFC website:

<http://www.gatrees.org/forest-fire/wild-fire-prevention/law-enforcement/index.cfm>



Tips for Landowners

Protecting your timber can be challenging, but landowners who take a few simple steps stand a much better chance of preventing timber theft and trespass on their property.

1. Avoid the temptation to make a quick sale; research your options and consider getting competitive bids.
2. Seek professional advice, from either a Georgia Forestry Commission forester or a registered consulting forester.
3. Plan your harvest, developing a pre-harvest plan that includes: a map of the timber sale area, appropriate forestry best management practices (BMPs) to prevent erosion and protect water quality, and that outlines the goals of the harvest. Meet on-site to review the plan. Determine the selling method – either a negotiated sale or sealed bid for a lump-sum offer.
4. Choose a Georgia Master Timber Harvester to ensure that the contractor is current on forestry BMPs. A list is available on: <http://ga-mth.forestry.uga.edu/db/php/print.php>.
5. Have a written contract or agreement before harvest begins, and ensure that you have name, address and contacts for the buyer and logger.
6. Monitor the harvest to ensure it is being conducted as agreed.
7. Discuss with the consultant or timber buyer what procedures are in place to secure and track timber harvested from your property. It could be as simple as having the buyer keep a record of loads hauled off of the property and matching those records to scale tickets.

More tips on Selling Your Timber and a list of registered foresters are available on the Georgia Forestry Commission website: www.gatrees.org. (Go to Forest Utilization>Timber Selling)

Quarantines on Transport of Ash Products

The Emerald Ash Borer, an exotic invasive pest of ash trees, was first found in Georgia in 2013. It is very destructive to ash trees in Georgia forests.

To combat the spread of this pest, a quarantine on ash materials has been established in areas where the Emerald Ash Borer is present to prevent its spread. Check the Georgia Forestry Commission website for the most up-to-date information and quarantine map: <http://www.gfc.state.ga.us/forest-management/forest-health/eab/index.cfm>

Forestry News Roundup

Streams, Stream Crossings & Forest Roads Require Extra Care

Georgia Forestry Best Management Practices (BMPs) protect the state's water quality and the value of your property. To ensure BMP compliance, a statewide BMP survey is conducted every two years. The latest survey looked at 209 sites where forestry activity had been conducted within the past two years. While overall compliance around the state was good, there is room for improvement along streamside management zones, stream crossings and forest roads – BMPs that are critically important for water quality and the reduction of soil erosion. If you have a stream or any body of water on your property or plan to build a forest road, please review the relevant Forestry BMPs and retain a Georgia Master Timber Harvester who understands and implements Georgia BMPs.

For More Information:

Georgia Forestry Commission site: www.gfc.state.ga.us (Forest Management>Water Quality)

SFI Georgia Site: sfi-georgia.org (For Landowners > Sustainable Forests Newsletters)

Georgia Tree Farmer Takes Regional Honors

At the 2014 American Tree Farm System® (ATFS) convention, Dr. John Bembry of Georgia was named 2013 Southern Region Outstanding Tree Farmer of the Year, an annual sustainable forestry honor. The 2,100-acre Bembry's Mill Tree Farm near Hawkinsville, Ga., has been in the family since 1807. Bembry and his sister own the property along the banks of the Ocmulgee River and Limestone Creek and manage much of it for longleaf pine. Other species on the property include slash pine, and pockets of spruce and cypress trees, as well as gopher tortoise, black bear, deer, turkey, quail, red-cockaded woodpeckers, bald eagles, bluebirds, wood ducks and more.

In the early 1980s, Bembry hired a forester to do an inventory and learned about Tree Farm from him. "The four tenets of the ATFS – water, wildlife, wood, and recreation – were what I believed in. It all came together very naturally," said Bembry in an ATFS article. State committees nominate certified Tree Farmers whose conservation efforts, outreach efforts to their community and advocacy for sustainable forest management exceed expectations.

For more information on Tree Farm in Georgia, contact: Buford Sanders at bsanders@gfc.state.ga.us.



John Bembry and his wife, Latrelle, accepted the award at the Tree Farmer convention.

**Sustainable Forestry Initiative
SFI Implementation Committee**

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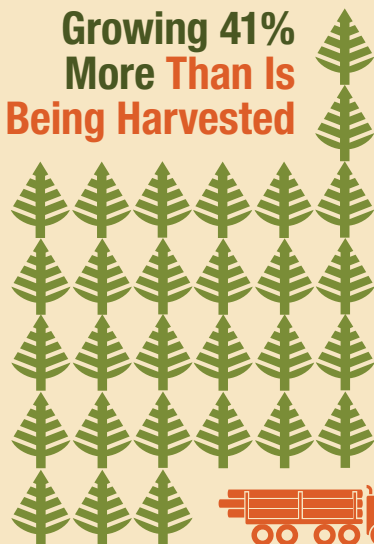


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SUSTAINABLE FORESTS IN GEORGIA

THE 2014 GEORGIA FOREST SUSTAINABILITY REPORT SHOWS
THAT THE STATE'S FORESTS ARE HEALTHY AND ABUNDANT.



**24 Million
Acres Have
Remained Stable**
(1964 to 2014)

\$29,000,000,000

Impact on Economy

135,000 Jobs

**Urbanization & Changes in Land
Use Are The Biggest Threats to
The State's Forests**



For More Information about SFI, call 706-542-7691 or log on to www.sfi-georgia.org.

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