



# OHIO Woodlands Water Wildlife



## An Ohio Woodland Stewards Program Publication

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### Protect Yourself Against Timber Theft

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*This article is adapted from the upcoming OSU Extension fact sheet **Timber Theft in Ohio**, which will be published later this summer.*

When someone enters another person's property to remove timber without the permission of the landowner it is known as *timber theft*. Timber theft can be categorized as 1) part of an ongoing timber sale and 2) when a person intentionally enters a property with the exclusive purpose of stealing, or "poaching," timber.

#### Theft as Part of a Timber Sale

In this case it is often the word of the property owner against that of the buyer or contractor. Without a well written contract, it is often impossible to prove that a "theft" has occurred.

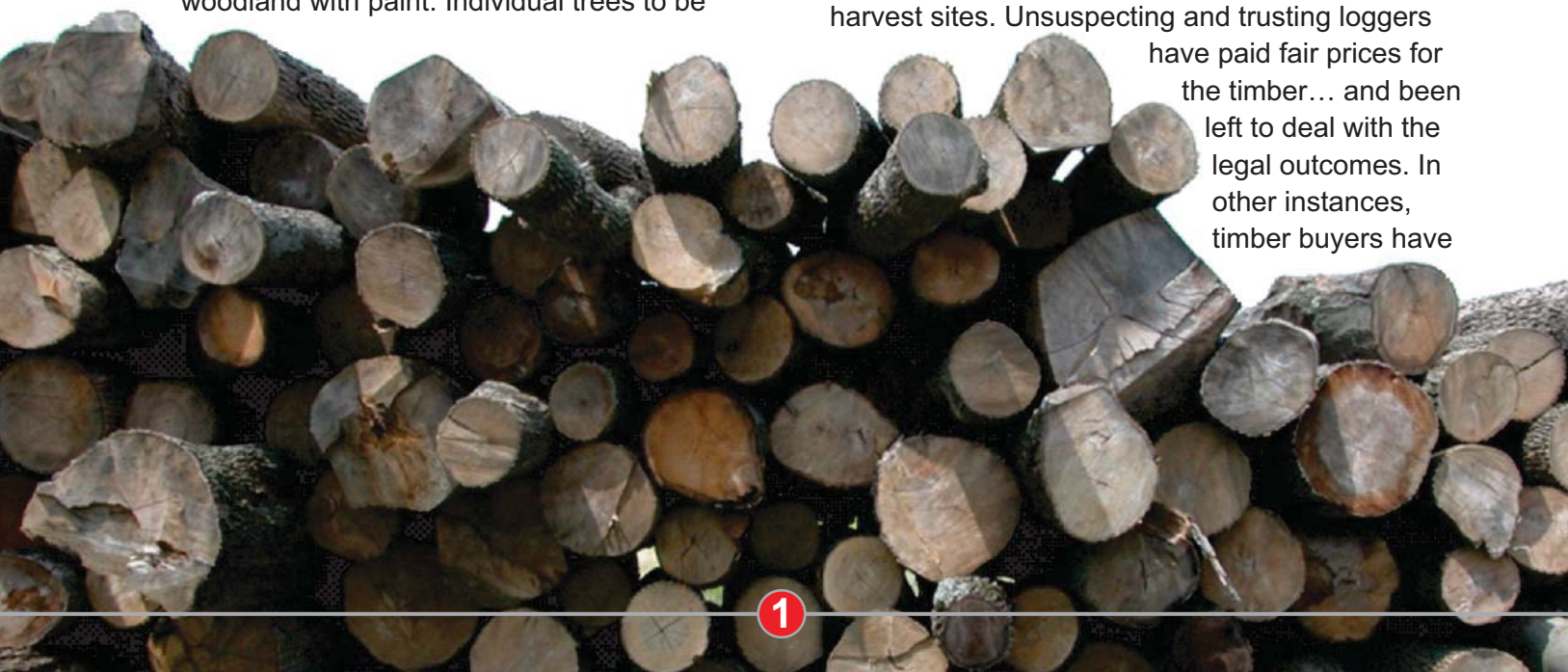
Sale and property boundaries should be **clearly and accurately** delineated on a map and in the woodland with paint. Individual trees to be

harvested should be marked with paint near the ground line **and** at eye level. This makes it obvious beyond any **reasonable doubt** which trees are involved in your sale. A record should also be kept by species and size for further verification. Contracts should clearly spell out the amount, method, and timing of payments from the sale of timber. A "lump-sum", "sealed-bid" timber sale is recommended.

Not following these precautions puts both you and the logger at risk. Additionally, neighboring property owners can be placed in jeopardy of losing timber as well. Whether intentional or unintentional (on the part of the landowner or logger) the result is the same.

#### Intentional Timber Theft (a.k.a. "Poaching")

When no legitimate timber harvest is occurring, defining theft is much easier. In its simplest form a perpetrator enters the property of an unknowing landowner, harvests trees and removes them from the property. Sometimes the theft is more elaborate. Culprits in the past have posed as absentee landowners and contacted loggers to harvest sites. Unsuspecting and trusting loggers have paid fair prices for the timber... and been left to deal with the legal outcomes. In other instances, timber buyers have



**NEW!**

# 2013 Gwynne Conservation Area Schedule of Events

## Cabin

## Wildlife

## Aquatics

## Woodland

- **4-H Shooting Sports:** Tuesday, Wednesday, & Thursday 10 am - 3:30 pm
- **Preparing for the Envirothon (OSU Preservice AgriScience Teachers):** Tuesday, Wednesday, & Thursday 12:30 – 1:30 pm
- **Ohio's EPA Biocriteria Program - Electrofishing and Macroinvertebrate Sampling:** Wednesday 10 -11 am & 2 - 3 pm @ stream

## Tuesday

10:30	Asian Longhorned Beetle (ALB) Update, <i>Amy Stone, OSU Extension</i>	The Emerging Tick Problem in Ohio <i>Glen Needham, OSU Dept. of Entomology</i>	Pond Stratification: Implications and Management <i>Eugene Braig, OSU Extension</i>	Backyard Conservation Part 1: Lawn Care <i>Julia Cummings, Madison Co. SWCD</i>
11:00	Making Cents of the Timber Market <i>Eric McConnell, OSU Extension</i>	Deer & Goose Damage Control Permits, <i>Gary Comer, ODNR-Wildlife</i>		Backyard Conservation Part 2: Rain Barrels, <i>Mary Ann Brouillette, Franklin Co. SWCD</i>
11:30		Native Grass and Wildflower ID <i>Rob Chapman, Purdue Extension</i>	Stocking Fish in Your Pond: The Good, the Bad, and the Ugly <i>Bill Lynch, OSU Extension-Retired</i>	Well Ownership 101 <i>Anne Baird &amp; Joe Bonnell, OSU Extension</i>
12:00	Steps for Successful Conservation Tree Planting <i>Lenny Farlee, Purdue Extension</i>			
12:30		Landscaping for Wildlife: Enjoying Wildlife Around Your Home <i>Marnie Titchenell, OSU Extension</i>	Growing Giant Pumpkins <i>Dan Kirts &amp; Madison Co. Master Gardeners</i>	Who's Who in Ohio's Raptors <i>Bill Lynch, OSU Extension-Retired</i>
1:00	Detecting Hemlock Woolly Adelgid & Thousand Canker Disease: We Have an App for That! <i>Kathy Smith &amp; Dave Apsley, OSU Extension</i>	Turkey and Deer Management <i>Lee Crocker, National Wild Turkey</i>	Dry Hydrant DEMO Central Townships Joint Fire District	Recipe for Water Gardening in Containers <i>Judy C. Arnett, Central Ohio Water Garden Society.</i>
1:30				
2:00	Cultivating Shiitake Mushrooms <i>Jerry Iles, OSU Extension</i>	Effective Mole Control: The Enemy Below, <i>Gary Comer, ODNR-Wildlife</i>	Aquatic Invasive Species: Getting Involved in the Fight, <i>Eugene Braig, OSU Extension</i>	
2:30				Ohio Certified Volunteer Naturalist Program, <i>Joe Bonnell, OSU Extension</i>
3:00	Viburnums <i>Amy Stone, OSU Extension</i>			

## Wednesday

10:30				
11:00	Lawn Care <i>Joe Rimelspach, OSU Extension</i>	Controlling Invasive Plants in Conservation Plantings <i>Brian MacGowan, Purdue Extension</i>	Aquatic Vegetation Management and Control <i>Perry Orndorff, Fairfield Co. SWCD</i>	Raccoon Variant Rabies Management in Ohio <i>John Paul Seman, USDA Wildlife Services</i>
11:30		Feral Swine Trapping & Techniques DEMO <i>Craig Hicks, USDA Wildlife Services</i>		Recipe for Water Gardening in Containers <i>Judy C. Arnett, Central Ohio Water Garden Society</i>
12:00	Improving Your Woods for You: A Guide to Enhance Your Woodland <i>Brad Wireman, ODNR-Forestry</i>	Managing Vulture Damage & Depredation DEMO <i>Jeff Pelc, USDA Wildlife Services</i>	Pond Stratification: Implications and Management <i>Eugene Braig, OSU Extension</i>	
12:30	Fostering the Childhood Nature Connection: Benefits & Opportunities <i>Kristi Lekies, OSU Extension</i>	Birds and the Bees: Habitat for Pollinators, Upland Gamebirds, and Other Wildlife <i>Mark Wiley, ODNR-Wildlife</i>	Basics of Pond Aeration <i>Perry Orndorff, Fairfield Co. SWCD</i>	Who's Who in Ohio's Raptors <i>Bill Lynch, OSU Extension-Retired</i>
1:00	Asian Longhorned Beetle (ALB) Update, <i>Amy Stone, OSU Extension</i>			
1:30	Name That Tree <i>Amy Stone, OSU Extension</i>	Turkey and Deer Management <i>Lee Crocker, National Wild Turkey</i>	Dry Hydrant DEMO Central Townships Joint Fire District	Healthy Honey Bees: Biology and Nectar and Pollen Needs <i>Dwight Wells, West Central Ohio Beekeepers Association</i>
2:00		Givin' Bobwhite an Edge: Habitat Mgt for Farmland Wildlife <i>Bob Gates, Randy Knapik, &amp; Coree Brooks, OSU School of Env. &amp; Natural Resources</i>	Hobby Maple Syrup Production <i>Gary Graham, OSU Extension</i>	
2:30	Making Cents of the Timber Market <i>Eric McConnell, OSU Extension</i>			Ohio Certified Vol. Naturalist Program <i>Joe Bonnell, OSU Extension</i>
3:00				

## Thursday

10:30	Alphabet Soup of Invasives <i>Amy Stone, OSU Extension</i>			Alt. Designs for Drainage Ditches <i>Jon Witter, OSU Department of Food, Ag., &amp; Bio. Eng.</i>
11:00	Become a First Detector for Plant Diseases and Invasive Species <i>Amy Stone, OSU Extension</i>	Effective Mole Control: The Enemy Below <i>Gary Comer, ODNR-Wildlife</i>	Basics of Pond Aeration <i>Perry Orndorff, Fairfield Co. SWCD</i>	Healthy Honey Bees: Biology and Nectar and Pollen Needs <i>Dwight Wells, West Central Ohio Beekeepers Association</i>
11:30				
12:00	Improving Your Woods for You: A Guide to Enhance Your Woodland <i>Brad Wireman, ODNR-Forestry</i>	Bluebird Bios: Creating a Home for Bluebirds on Your Land <i>Marnie Titchenell, OSU Extension &amp; Les Barnhart, Madison Co. 4-H Leader</i>	Aquatic Invasive Species: Getting Involved in the Fight <i>Eugene Braig, OSU Extension</i>	Backyard Conservation Part 1: Lawn Care <i>Julia Cummings, Madison Co. SWCD</i>
12:30				Backyard Conservation Part 2: Rain Barrels <i>Julia Cummings, Madison Co. SWCD</i>
1:00			Growing Giant Pumpkins <i>Dan Kirts &amp; Madison Co. Master Gardeners</i>	
2:00				

purchased from lessees and not the property owners, either unknowingly or in collaboration with the lessee.

### Timber Theft has Occurred- Now What?

Immediately contact your county sheriff's office or the Ohio State Highway Patrol. **Insist** they investigate and file a report. If you do not get immediate response from law enforcement, document with photographs and notes. If logging is still in process, try to identify the violator (vehicle and equipment make and models, license plate numbers etc.) but **do not** to attempt a confrontation.

If a significant amount of timber was stolen, contact a consulting forester (<http://www.osafdirectory.com>) for assistance. This documentation can be used in court, for out of court settlements, and for tax purposes since stolen timber is a casualty loss (<http://www.timbertax.org>).

### Ohio Laws Pertaining to Timber Theft

*Injuring Vines, Bushes, Trees, or Crops on Land of Another* (Ohio Revised Code 901.51) states "no person...shall recklessly cut, destroy, or injure crops, trees, vines, bushes, shrubs, or saplings growing on the land of another..." Doing so is a fourth-degree misdemeanor, which is subject to a maximum imprisonment of 30 days and a maximum fine of \$250. Damage payments to the property owner associated with this law are triple the amount of total loss to the property. These are **treble damages**, but the burden of proof is on the victim to show "reckless" cutting occurred for a civil action. If damages are less than \$3,000, another option for victims against an identified defendant is small claims court, where legal action can be pursued without an attorney. It is recommended to base any settlement amount on a certified forester's estimate of your lost timber.

### Summary of How to Prevent Timber Theft

- Locate and clearly mark property boundaries
- Inspect property regularly. If you do not live on the property hire a forester, or ask a neighbor or relative to periodically walk the property
- Leave contact information with neighbors and let them know that you do not plan to harvest timber in

the near future

- Conduct a timber inventory and estimate the value of your timber
  - Report all incidents of trespass and/or theft to the authorities
  - When conducting a timber sale:
    - Do your homework prior to the sale!
- Ohio's Call Before You Cut campaign is a great place to start: 1-877-424-8288, <http://callb4ucut.com>
- Clearly mark sale and property boundaries
  - Notify neighbors of the impending sale and verify that boundaries are correct
  - Paint each hardwood sawtimber tree to be harvested
  - Keep a record of the number of trees to be harvested. Categorize by species and size
  - Sell timber using the "sealed bid" process
  - Secure a "lump-sum" payment prior to the start of harvesting activities
  - Develop a detailed contract with the help of an experienced forester and lawyer
  - Get help from a qualified forester to assist with all aspects of the sale <http://www.osafdirectory.com>.



## 2013 Gwynne Conservation Area Talk Schedule

This year Farm Science Review (**Schedule pg 2 on right**) takes place September 17th, 18th and 19th at the Ohio State University's Molly Caren Agricultural Center outside London, OH. During the three days of the Review there are a variety of demonstrations and talks being offered at the Gwynne Conservation Area . The talks will cover a wide variety of topics – there is something for everyone! Check out



4-H shooting sports



Elm restoration project

what is being offered in this Gwynne Conservation Area schedule of events.

New to the Gwynne this year is a demonstration planting of hybrid elms that is part of a research planting that was done in conjunction with the Northern Research Station of the U.S. Forest Service. These elms were planting this spring after the removal of honeysuckle was complete. Check out this restoration demonstration this is just the start of the Gwynne's approach to invasive species removal.

To learn more about Farm Science Review go to <http://fsr.osu.edu/>. Show hours are

Tuesday and Wednesday 8 am to 5 pm and Thursday 8 am to 4 pm. Tickets can be purchased prior to the show at any Ohio State University Extension office for \$7 each. Tickets at the gate will be \$10. Tickets can also be purchased online at the Farm Science Review website as well.

## Wild Turkey and Ruffed Grouse Brood Survey

*Lee A. Crocker, CF, Ohio Regional Biologist, National Wild Turkey Federation*

Determining the annual nest success and survival of wild turkey and ruffed grouse is a challenge and difficult at best. The Ohio Division of Wildlife and the National Wild Turkey Federation would like your cooperation in this task. The Ohio Division of Wildlife maintains the website <http://www.dnr.state.oh.us/wildlife/TurkeySurvey/Default.aspx> where they would appreciate your assistance and request you enter all sightings of wild turkey and ruffed grouse with or without young from May 15 to August 31. You will be asked the number, sex and county where you saw the turkey or grouse. For turkey you will also be ask the relative size of the young birds. At this site you can a review the information on a county or statewide basis from 2009 to the present survey. All observers who submit an email address will receive a summary report with final results. The Ohio Division of Wildlife and the National Wild Turkey Federation appreciates your assistance.



## USDA Observes August As Tree Check Month And Asks The Public To Take 10 Minutes To Check Trees For Asian Longhorned Beetle



Washington, July 30, 2013 -- The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) today announces August is Tree Check Month and

urges the public to check trees for signs of Asian longhorned beetle (ALB).

“August is a time of peak emergence for the beetle and is most likely when members of the public will see an adult beetle infesting trees,” states Scott Pfister, Director for USDA APHIS' Pest Management Division. “We're asking people to take 10 minutes and check your trees for the beetle and any signs of damage it causes.”

Checking trees on your property or in your neighborhood means looking at the host trees the beetle attacks for the beetle itself or signs of damage caused by it. The most concerning signs are dime-sized exit holes, roughly ¼ inch or larger, perfectly round, found on the trunk and branches. You can look for round or oval shallow scars in the bark where the females chew oviposition (egg-laying) sites, and also for frass (excrement), a sawdust-like material, on the ground at the base of the tree or at the crotches of branches. Dead branches or canopy dieback can indicate something is wrong. Finally, look for the beetle itself on the tree trunk, branches, on the ground, and on nearby surfaces. With these unique characteristics, the beetle stands out from other insects:

- Body is 1 to 1 ½ inches in length
- Long antennae banded in black and white (longer than the insect's body)
- Shiny, jet black body with random white spots
- Six legs

The most important thing you can do to protect

your trees is to check them regularly and encourage others to do so too. Early detection is crucial in the fight against this invasive pest. It can mean the difference between the six infested trees lost in Boston vs. over 30,000 trees lost in Worcester County, Massachusetts. Unfortunately, once ALB infests a tree, there is no cure for that tree, but there are things we can do to save the rest.

USDA works closely with federal partners, states, communities and the public to combat the pest in areas where infested trees have already been found. While eradication has been declared in Illinois (2008), New Jersey (2013) and Islip, New York (2011), the eradication efforts continue in Ohio, Massachusetts, and New York. We all still need to stay vigilant and inspect trees regularly for signs of infestation, especially since trees in all states are at risk.

The beetle was first discovered in the United States in 1996, likely arriving in wood packing material from Asia. It is an invasive insect that feeds on 13 different genera of hardwoods trees eventually killing them. Maple, willow, elm, horsechestnut and birch are the host trees most preferred by the pest. Infestations have been found in New York (1996), Illinois (1998), New Jersey (2002), Massachusetts (2008) and Ohio (2011), resulting in the removal of more than 85,000 host trees. It threatens recreational areas, forests, and suburban and urban shade trees. Important American industries such as timber, nursery stock, maple syrup production, and tourism are also at risk.

Help stop the Asian longhorned beetle's destruction by checking your trees and report any signs or symptoms of an infestation immediately. If you find a beetle, try to take a picture or capture it by placing the insect in a jar and freezing it. This will help with identification. To report a sighting or for more information, visit [www.aphis.usda.gov](http://www.aphis.usda.gov) or [www.asianlonghornedbeetle.com](http://www.asianlonghornedbeetle.com) or call the toll free hotline at 1-866-702-9938.

# Calendar of Events

<b>September 6</b>	Name That Tree	Butler County
<b>September 27</b>	Name That Tree	Wayne County
<b>October 1</b>	Name That Tree	Geauga County
<b>October 11</b>	Ohio's Non-Native Invasives	Auglaize County
<b>October 14</b>	Woods in Your Backyard	Fairfield County
<b>October 16</b>	Why Trees Matter Forum	Wayne County
<b>October 18</b>	Wood ID	Butler County
<b>November 1</b>	Winter Tree ID	Medina County

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## Come find us at:

<http://www.facebook.com/pages/Ohio-Woodland-Stewards-Program/197418573782?ref=nf>

### Check Us Out On The Web!

Look for newsletter articles, links to fact sheets and other publications by browsing our site. Registration for upcoming Woodland Stewards classes may also be done electronically.

Go to:  
<http://woodlandstewards.osu.edu>

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### Contact Us!

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Keith L. Smith, Associate Vice President for Agricultural Administration and Director, OSU Extension