

The South Carolina Forest Steward

Fall 2007



Thanks to a generous grant from the South Carolina Forest Stewardship program, we will be able to offer the South Carolina Forest Stewardship News quarterly at no cost. The format will change slightly, with more information on various aspects of South Carolina's Forest Stewardship program.

This newsletter is being distributed on a regional level every quarter. The articles will be composed and compiled by various experts with the Cooperative Extension Service as well as other agencies. Our intention is to provide landowners with useful and pertinent information. In order for this to be a success, we would like to ask you to offer suggestions for the content of this newsletter. You can provide this by e-mail at datkins@clmson.edu or rmfrnkl@clmson.edu. We hope you find this information useful. If you'd like to receive an electronic copy of the newsletter, email Darren Atkins or Bob Franklin at the above addresses.

*Darren Atkins, Extension Forester, Newberry County, and
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Timber Transaction Crime

*by Jonathan Calore, Regional Law Enforcement Investigator
South Carolina Forestry Commission, Columbia, South Carolina*

Timber transaction crime includes outright theft of forest products, as well as fraud. Fraud in this context includes Obtaining Property Under False Pretenses, Breach of Trust with Fraudulent Intent, Swindling, and Exploitation of a Vulnerable Adult. Frequently associated crimes include Trespassing, Malicious Injury to Real Property, and Conspiracy.

Two laws pertaining to timber transactions were passed in 2002. One requires timber buyers to provide the landowner with accurate mill receipts for wood purchased on a pay-as-cut basis. The other allows law enforcement to confiscate any tools or equipment used in commission of certain timber transaction crimes.

In 2004, another law was passed requiring timber buyers to pay landowners within 45 days for timber purchased on a pay-as-cut basis.

According to Forestry Commission records, almost half of all timber transaction crime victims are 55 years old or older. Investigators think this may be because older people, regardless of sex or race, tend to be more trusting. About 40 % are minorities, perhaps because south-wide they are much less likely to seek professional assistance when selling their timber. About 40% of all victims are female, with elderly widows frequently targeted.

Investigations usually begin with a complaint from a landowner. Some complaints turn out to be civil matters: misunderstandings, slow payment, damaged property, failure to fulfill certain parts of a contract, and accidental trespass. While the Forestry Commission does not handle civil cases, investigators are sometimes able to facilitate a satisfactory settlement by simply talking to the people involved.

If the preliminary inquiry indicates that a crime may have been committed, investigators begin to follow the paper trail that is inevitably generated by a financial transaction. It is usually the paper trail that leads to the culprit.

Depending on the situation, up to five principals may be involved in any suspect deal: the landowner, the wood buyer, the logger, the wood dealer (broker), and the mill. Each of these generates or receives paper documentation at various points in the transaction, and each piece of paper is part of the puzzle investigators seek to assemble.

Investigators must gather and examine the various pieces of documentary evidence in an attempt to develop a clear picture of the transaction. Some pieces of evidence are available simply for the asking; others may require a subpoena or a search warrant; some may no longer exist; and some, like contracts and timber deeds, may never have existed at all.

In addition to gathering documentary evidence, investigators interview anyone who may have information pertinent to the case. Their statements and depositions frequently fill gaps in the paper trail or lead to new sources of information.

Investigation of timber cases is a painstaking process which may take many months to complete. Complicating the process is the sensitivity of the issues involved. Investigators say that inquiries must be handled carefully and confidentially to avoid hurting the reputations of innocent parties involved in the inquiry.

If evidence confirms that a crime has been committed, investigators must link the crime to the person responsible. This step is called “establishing probable cause.” It simply means that the officer must have a reasonable belief, based on facts and evidence, that the suspect person actually committed the crime.

Usually investigators will discuss the case with the solicitor before they apply for an arrest warrant. If the solicitor agrees that the case is worth pursuing, officers will prepare an affidavit that outlines their probable cause. This is presented to a magistrate with a request to issue an arrest warrant.

Once a warrant is issued, a timber transaction arrest is treated like any other arrest. Officers locate the subject, who is then handcuffed, taken to jail, booked, and given a bond hearing.

Information regarding any timber transaction arrest, including a photo of the accused, is then released to the news media. ♣

More American Homes in Fire Prone Woodlands

Vaughan Spearman, Coastal Region Stewardship Forester

According to a new study from researchers at Colorado State University, as Americans build more homes in the wildland urban interface (WUI) areas across the country, they face increased levels of fire risk.

Since the 1970s, expansion of rural residential development at the WUI has grown into a major concern among natural resource managers and is a primary factor influencing the management of national forests.

The South is no exception, and as more small farms are converted to forestland, and more Americans seek the seclusion and beauty of our forests in which to build their homes, the potential for catastrophe builds. Southern pine forests, and truthfully nearly all southern

plant communities, are well adapted to fire and produce many volatile fuels. With severe droughts and plenty of thunderstorms, the potential for fire is magnified, and homeowners in the wildland urban interface need to take precautions to protect their families, homes, and possessions.

To protect a home in the event of a wildfire, firefighters need to be able to find and access your homesite and have a reasonable chance of protecting your home. To ensure this, clearly mark your driveway according to 911 regulations, keep your driveway maintained so firetrucks can access the housesite, and maintain 30 feet of “defensible space” in the immediate vicinity of your home.

Defensible space means a well irrigated lawn or landscaping with mulch such as bark or wood chips, do not use pine straw near your home. Select trees and shrubs that are less flammable for use near your home. Dogwoods and redbuds are good medium sized trees, but most other deciduous species work well. Avoid our native waxy evergreens like waxmyrtle, hollies, and bays. Pampas grass is also a dangerous choice near to your home.

Maintaining your lawn area by removing dead materials hanging from tree limbs or on the ground may also serve to protect your property. Allowing Spanish moss, pine needles and small branches to accumulate on standing trees and shrubs may accelerate the spread of a fire.

Using nonflammable roofing materials and having garden hoses on hand to fight small grass fires in the yard or to run sprinklers will provide you with some extra protection.

Remember to be firewise. To learn more look for Firewise programs offered to local communities. ♣

New Disease Epidemic Threatens Redbay and Other Related Species

by James Johnson, Georgia Forestry Commission; Laurie Reid, South Carolina Forestry Commission; Bud Mayfield, Florida Department of Agriculture and Consumer Services – Division of Forestry; Don Duerr, USDA Forest Service – Forest Health Protection; and Stephen Fraedrich, USDA Forest Service – Southern Research Station

Laurel wilt, a new disease of redbay (*Persea borbonia*) and other plant species in the family Lauraceae, is causing widespread mortality in the coastal regions of South Carolina, Georgia and Florida. The disease is caused by a fungus (*Raffaelea* species) that is introduced into trees by an exotic insect, the redbay ambrosia beetle (*Xyleborus glabratus*), which is native to Asia and is the 12th new species of ambrosia beetle introduced into the U.S. since 1990.



Redbay foliage. Photo by Chris Evans, River to River CWMA, Bugwood.org

Redbay trees grow in the Coastal Plain region from eastern Texas to Virginia and are ecologically and culturally important, although of minor commercial timber value. Redbay trees provide fruit for song birds, turkey, and quail; deer and black bear browse on the foliage and fruits. Additionally, the larvae of the Palamedes swallowtail butterfly require redbay leaves for development.

The redbay ambrosia beetle was discovered in Savannah's Port Wentworth area in spring 2002; however, it is likely to have been established in the area prior to 2002 when the three adult specimens were trapped at the port. The beetle likely entered the country in solid wood packing material with cargo that was imported at Port Wentworth. Redbay trees began dying in Georgia and South Carolina in 2003. By early 2005, officials with the Georgia Forestry Commission (GFC), South Carolina Forestry Commission (SCFC), and USDA Forest Service began to suspect the newly discovered ambrosia beetle was associated with this mortality. Subsequent research has found that the mortality is caused by a pathogenic fungus that is carried by the beetle. The fungus is believed to be transmitted to healthy redbay trees when they are attacked by the beetle, resulting in a wilt disease. The disease has also been discovered in individual plants of the federally endangered pondberry (*Lindera melissifolia*), the threatened pondspice (*Litsea aestivalis*), sassafras (*Sassafras albidum*) and avocado (*Persea americana*).

Many native ambrosia beetles (40 plus species) occur in the United States and primarily target stressed or dying trees. In general, ambrosia beetles carry specific fungi that are introduced into the trees as they tunnel into the wood, and are fed upon by the developing insects. In the case of the redbay ambrosia beetle, one of the associated fungi also acts a pathogen as it spreads through the tree's vascular system, causing the tree to wilt and die. This associated fungus is in the same class of fungi as those that cause Dutch elm disease and blue stain in pines.

All of Georgia's coastal counties now have confirmed laurel wilt and the disease is moving northward in South Carolina, southward in Florida, and inland at an alarming rate. In 2004, those states reported three counties with damage; now the disease has spread to 31 total counties. Officials estimate that natural spread is about 20 miles per year, but movement of infested firewood, wood chips, and logs may be a major factor in spreading the disease into new locations not contiguous with main area of infestation. Landowners, loggers, and others are asked to leave dead redbay trees in the woods and not salvage them for logs, chips or firewood. It is likely that long distance spread via wood movement has occurred already, and the public is asked to cooperate with this voluntary request by state and federal agencies.

There are no proven management strategies for preventing the development of laurel wilt disease. Early sanitation of newly infested trees and limiting movement of infested wood may help slow the spread. Field trials evaluating the effectiveness of certain pesticides are being conducted in Florida and Georgia. Formal ground surveys are being conducted by the SCFC and the GFC to develop baseline infestation information. Research is ongoing with the USDA Forest Service – Southern Research Station (Athens, GA and Pineville, LA), Louisiana State University, Iowa State University, University of Florida, and Florida DACS-DOF. Substantial information about this problem is available at: www.fs.fed.us/r8/foresthealth/laurelwilt/index.shtml. ♣

Timber Mart-South

Here is the third quarter price summary from Timber Mart-South, published by the Warnell School of Forestry and Natural Resources at the University of Georgia. The prices shown are statewide averages of stumpage (standing timber) and the trend (up or down) from the previous quarter. These prices reflect the average range of stumpage prices reported to Timber Mart-South for the quarter. The price you may receive for your timber can and will vary due to factors such as size of timber, amount, location to mills, access and demand. If you'd

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like more information on the Timber Mart-South price reporting service, contact Timber Mart-South (706) 542-4756 or visit the website at www.TimberMart-South.com.

Timber Mart-South 3rd Quarter, 2007: South Carolina Statewide Averages

Pine Sawtimber: \$328/ MBF (per thousand board feet Doyle log scale) or \$41.05/Ton. Trend is up.

Pine Chip-N-Saw: \$58.91/Cord (\$21.98/Ton). Trend is up.

Pine Pulpwood: \$17.73/Cord (\$6.62/Ton) Trend is up.



Questions about this newsletter, submissions and requests for subscriptions should be directed to: Editor, Forest Steward Newsletter, Clemson University Cooperative Extension Service, Department of Forest Resources, 272 Lehotsky Hall, Box 340317, Clemson, SC 29634-0317. Phone: 864/656-2479.

The Forest Steward

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Counties in which you own forest land:



The South Carolina Forest Steward Newsletter is sponsored by the Forest Stewardship Program in South Carolina. For more information on the Forest Stewardship Program, contact Ron Ferguson at the South Carolina Forestry Commission, 803/896-8846. The South Carolina Forest Steward is compiled and edited by Larry Nelson, Extension Forester at Clemson University, and Bob Franklin, Area Forestry & Wildlife Agent, Walterboro, South Carolina.

