

**Security Considerations
for
Timberland Owners**

By
Ben Jackson
The University of Georgia

Trespassing

Land at Risk
Attractive or
valuable forest
land readily
available and
commonly used
by the public



Risks

- Invasion of property
- Use without landowner benefit
- Property destruction
- Safety threat

Protection

- Clearly marked property boundaries
- Clear signage
- Fencing
- Leasing
- Advising users/customers of their category of access
- Knowing responsibilities to users/customers

Responsibility

- *Contractees* - People between whom an agreement regarding land/resource use has been effected

Responsibility

- *Invitees* - People who have been invited or whose invitation is implied, such as salespeople or even uninvited social visitors required to take reasonable care to have property in reasonably safe condition and to notify of known concealed dangers

Responsibility

- *Licensees* - People who have license or implied permission, such as mail carriers, police, fish and game personnel, etc. Must refrain from wanton negligence or willful misconduct that might injure

Responsibility

- *Trespassers* - People who enter property without permission and intrude for some definite purpose of their own convenience. No duty is owed to adults, except refraining from willful or wanton injury

Trespassers

- When trespasser is discovered, known concealed dangers must be revealed
- Trespasser may be removed from property, without injury
- Attractive nuisance property for children may require access prevention

Timber Theft

Land at Risk

Forestland,
especially
belonging to an
absentees and
adjacent to other
land being
harvested



Problems

- Loss of resources
- Loss of productivity
- Loss of value

Recourse

- Criminal prosecution for theft
- Civil prosecution for losses and damages
- Elimination of dishonest employees or contractors
- Survey and mark boundaries plainly
- Use registered professional consulting foresters to manage forestland

Timber Sale Security - General Considerations

- Mark Property Boundaries!!
- Limit access to timberland
- Work with other landowners in providing secure conditions
- Develop a specific process for communicating security problems
- Following harvest plan regeneration that include security considerations

Pre-Contract Considerations

- Learn the best time and manner for a sale
- Be sure sale boundaries are clearly marked

Contract Considerations

Be sure a clear and legally binding written contract covers all aspects of a timber sale

Harvest Considerations

- Inspect harvesting operations frequently
- On unit sales, monitor merchandising carefully
- On unit sales, assure timely settlement and scale-ticket reporting

Post-Harvest Considerations

- Compare pre-sale estimates to final income
- Plan and carry out regeneration as soon as possible

Wildfire

Land at Risk
Forestland,
remote areas
near high
unemployment
rates, where land
acquisitions have
changed land use



Risks

- Destruction of resources and property
- Loss of endangered plants and animals
- Air and water contamination
- Soil erosion
- Threat to human life

Protection

- Reduction of forest fuels
- Fire breaks and access roads
- Improved water access
- Timber and hunting leases
- Good public relations

Problems

- Smoke-obscuring danger
- Inconvenience, irritation and danger to neighbors
- Loss of resources

Recourse

- Report fire to law enforcement and state forestry office personnel
- Press charges against arsonists for illegal activities
- Prosecute in civil court for damages

Controlled Substances

Land at Risk

Remote properties, large forested tracks rarely visited for management or recreational reasons



Risks

- Controlled substances grown on your land
- Controlled substances processed on your land
- Controlled substances stored on your land
- Equipment used in the processing, distribution and sale of controlled substances housed on your land

Protection

- Avoid consent of illegal use of your land
- Avoid benefit from illegal use of your land
- Avoid holding property benefiting anyone using your land illegally
- Maintain “reasonable” access control to your land, relative to your current use

Protection (cont.)

- Keep complete lists of licensees
- Include requirements for reporting illegal activities in leases
- Establish procedures for discovering and reporting illegal activities

Problems

Current law says land becomes property of the state at the time it is used for production/sale/distribution etc. of controlled substances

Recourse

- Be alert to indicators of controlled substances violations
- Report instances of violations
- Reclaim forfeited land according to the specified formula within the specified time based on "innocence" of owner

Environmental and Ecological Vandalism/Terrorism

Land at Risk

Any land being managed for consumptive purposes, such as timber production, hunting, or even land being developed for organized activities such as recreation

Risks

- Tree Spiking
- Road destruction
- Equipment damage
- Building damage
- Fence cutting
- Damage or removal of signs

Protection

- Include non-consumptive land uses with productive ones
- Lease land for complementary uses
- Reward reporting of vandalism
- Improve security

Problems

- Desirable land-management options may become impossible
- Contract operators may try to recover equipment damages from landowners

Recourse

- Survey individual trees for evidence of tampering
- Report damage to law enforcement authorities
- Prosecute guilty parties

Dumping

Land at risk

Remote properties adjacent to passable but little used rural roads, where routine inspection is rare and land use appears unregulated



Risks

- Debris on private land
- Hazardous material on private land
- Health hazards

Protection

- Post "No Trespassing" and/or "No Dumping" signs
- Lease lands for complementary uses
- Improve public relations
- Beautify roadsides

Problems

- Unsightly and unsafe land
- Risk of citation for illegal open dump
- Costly cleanup
- Preventing additional dumping

Recourse

- Sort trash for identifying material
- Periodically inspect site for violators
- Prosecute dumpers
- Support development of public waste disposal facilities
