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Facts About Low-Density Plantings of Loblolly Pine

The Advantages of Planting Fewer Trees Per Acre

"Low Density"

"Low Density" refers to plantings which are less than 350 trees per acre (tpa).

Forest Health

- Low-density stands are healthier, have less competition, are more vigorous and are less susceptible to bark beetles and other pests.
- Lower-density stands retain better wildlife habitat longer.
- Lower-density stands are more aesthetically pleasing.
- Low-density plantings will create larger diameter, stockier trees, which are more ice-damage resistant.



A 12-year-old loblolly pine stand planted at 300 trees per acre, which is more aesthetically pleasing, provides better wildlife habitat and is more resistant to insects and disease.

- Lower-density stands allow for the establishment of mixed stands of both hardwood and pine for landowners who desire a mixed stand.
- Low-density stands are less likely to be viewed as monocultures.

Thinnings

- Low-density plantings will give landowners a longer time period to do thinnings before the live crown ratios decrease.
- Live crown ratio is the portion of the tree that still has live branches that provide food to the plant. To maintain good growth rates, the tree should have enough light for the top 40 percent of the tree to maintain live branches.



A 22-year-old loblolly pine stand planted at 300 trees per acre. Consider the future tree diameter when determining the desired planting density.

- Low-density planting on a 9 ft. by 14 ft. (346 tpa) or 10 ft. by 14 ft. (311 tpa) spacing eliminates the need to remove rows for roads, which allows a true selective thinning to be done
- Low-density plantings will have less volume available for thinning but can have much more chip-n-saw in the thinning, creating more income.

Wood Quality and Return on Investment

- Depending on assumptions about the future, lower density stands give a higher rate of return on investment to

the landowner than 500 trees per acre, by producing chip-n-saw in the thinning and sawtimber in 30 to 35 years.

- Lowering densities to between 200 and 350 trees per acre causes no significant change in wood quality.
- Low-density plantings will create sawtimber-size trees sooner.
- The use of 100% genetically improved seedlings ensures that almost all stems will be good quality crop trees and will minimize excessive limbiness and knot-size compared to unimproved loblolly.
- Tree planting cost will be no more than for regular planting and could be accomplished at a reduced site prep and planting cost through spot planting.
- Low-density plantings could be established through spot hand release, which would allow pines to grow without total herbicide treatment.

Caution: Planting fewer trees per acre increases the importance of ensuring that seedlings are planted correctly.



A 22-year-old loblolly pine stand planted at a higher density (higher trees per acre). Higher-density plantings create a less vigorous, dense forest with lower-diameter trees which are less valuable.

SOURCE: VDOF FT0003; VA Dept of Forestry, 2005 ■



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Landlocked?

How to access your property

By Jason R. Page

Many forest landowners face the problem of owning property with no access to a public road. Often times being a good neighbor solves this problem. However, disputes over the right to access property are common. A common dispute arises when an adjoining property is sold and the new owner gates existing paths. There are several legal theories that landlocked landowners may be able to use to establish an access to their property.

Easements Implied by Necessity

Easements implied by necessity do not magically appear whenever there is a need for access. A way of necessity arises only when a buyer has no access to the land except over either the seller's other land or the land of a stranger. In such cases, the law implies a right-of-way to the landlocked land over the seller's land. If at any time a landowner with road frontage conveyed away a part of his property with no road frontage, there may be an easement implied by necessity. The allowed use of an easement implied by necessity is whatever is reasonably necessary for the benefit of the landlocked tract. The proposed land use is a key factor when determining the scope of the easement. Thinning may be reasonable when residential development is not.

Easements Implied by Prior Use

Easements implied by prior use are somewhat similar to easements implied by necessity. Again, there must have been common ownership of the tract with access and the tract that needs access, and a transfer must have separated the ownership. However, in this case, the person seeking the easement must show 1) that before the transfer the prior owner used the portion of the tract with road frontage to benefit the portion without access; 2) that the use was apparent, continuous and permanent, and 3) that the claimed easement is necessary to the use and enjoyment of the new owner's land. In a related situation, when the State changes the path of a road or highway, causing a landowner to lose access to property, there also may be an easement along the path of the old roadway.

Easements by Prescription

There are several requirements for easements by prescription. First, there must be continued and uninterrupted

use for 20 years. Second, the use must be so open that the owners of the land across which the easement is claimed probably had notice of it. The third element is that there must be a "substantial identity of the easement claimed." The problem most landowners face is that they have not met the fourth element: the use of the easement must be hostile or adverse. This means that the use of the easement is such that it gives notice that it is being made under a claim of right. There is a presumption that the use was permissive. If the use was by permission, there can be no easement by prescription.

Evidence that the person claiming the easement has not helped maintain the road may be used to show that the use was not under a claim of right. In one North Carolina case in which a landowner was successful in establishing an easement by prescription, the North Carolina Court of Appeals said that where the evidence showed that "permission to use the lane had been neither given nor sought, that the plaintiffs performed maintenance required to keep the road passable, and that the plaintiffs used the road for over 20 years as if they had a right to it, the evidence [was] sufficient to rebut the presumption of permissive use and establish that the use was hostile and under a claim of right." It goes without saying that the specific facts of the case always affect the outcome.

Cartways

Land is often subdivided in a manner that leaves some portion of it without any way to establish a right of way to a public road. To ensure that this land does not remain unproductive, North Carolina has had a cartway law since 1798. The person whose land will be burdened by the cartway is entitled to reasonable compensation paid by the petitioner. In effect, a cartway statute delegates the right to use the State's power of eminent domain to a private person or entity. There are only certain uses for which a cartway can be acquired. It is significant that agriculture and forestry are permissible uses and residential development is not. To be entitled to a cartway, a landowner must show three things. First, he must show that the easement is necessary for cultivating land, cutting timber, quarrying, industrial development, or a cemetery. Second, he must show that there is no public road. And third, he must show that the cartway is necessary, reasonable and just. If the Clerk of Court is satisfied that the petitioner has met

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these requirements, the Clerk will appoint three disinterested landowners to lay off the cartway and determine the compensation that the petitioner must pay the respondent for the easement. Any party can then appeal to Superior Court.

There are several ways landlocked landowners may be able to use to establish access to their property. If there is no other legal theory to establish access, forest landowners may be able to establish a cartway. Easement cases are very fact specific. Landowners who find themselves in this position should discuss the specific facts of their case with their attorneys.

Jason R. Page is an attorney in Wilson, NC and a North Carolina Registered Forester. ■



Youth Day at the Dixie Deer Classic

North Carolina State

Fairgrounds

Raleigh, NC

Friday - March 6, 2009

9:30 am - 12:30 pm

Build a Turkey Call

Pet a Snake!

Learn about Raptors

Try your hand at the Turkey Shoot

Explore the Safari Trailer

Face Painting, Coloring

Youth Activities going on all day!

Questions?

Call 919-552-9449

Managing Your Legacy

Spring Seminars for the Piedmont

The health, productivity and ecological character of North Carolina woodlands rests largely in the hands of family forest owners. Woodland owners enjoy trees and other natural resources for their social, environmental and economic benefits. **This course is designed to help property owners (especially those with 20 acres or less) understand the basic principles of forest stewardship to enrich their experience as a woodland owner.**

Woodland owners interested in managing their land and developing an understanding of the basic principles of

woodland stewardship are invited to participate in a unique educational event scheduled for this spring. A team of land management experts from federal and state agencies, universities, and the private sector are coordinating efforts to offer the Piedmont Woodland Steward Series through the Biltmore Forest School.

Forty-eight hours over 4 workshops will be provided with opportunities to engage with natural resource and land management specialists. Sessions include both hands-on activities in the field and instruction in the classroom. Introductory information on a wide variety of land management topics will be discussed.

Workshop Schedule:

Discovering Your Land: Basic Land Management Skills (April 17 & 18)—How to set property management goals and objectives while considering the role of your land in the big picture of regional ecosystems. How to write your land management objectives and manage your land with wildlife in mind. Learn to use basic tools such as plant identification, soil sampling, using maps and compasses, and GIS/GPS information to manage your land.

Woodscaping Your Woodlands & Firewise Management (May 1 & 2)—A general overview of managing your forest land—how topography and soil affect the forest type and a tour of harvesting methods. Basic information on forest insects and diseases, pasture management, and secondary forest products. Reducing the risk of wildfire loss by becoming "Firewise" in your backyard.

Native Landscaping & Water Management (May 15 & 16)—A general overview of choosing and planting native plants for your property. Care of urban trees and basic information on invasive plants. Solving stormwater problems with plants and piedmont prairie restoration.

Stewardship, Recreation, & Liability (May 29 & 30)—Planning trails on your property, plus the basics of land ownership liability, recreational income opportunities, and conservation easements. Explore management practices in the field and apply your new knowledge and skills. Finalize your goals and objectives. Graduation ceremony and lunch will follow on Saturday for those who have attended at least 3 of the 4 workshops.

Registration—The cost is \$50.00 per person per session, with spouse or other family member at \$25.00. Registration includes lunch and snacks on the first day of each workshop as well as workshop-related materials. Reserve your spot for the whole course by registering early! Registration deadline is one week prior to

the session desired. Credit toward NC Environmental Education Certification is available, as well as CEU credits. For locations, more information and registration materials, visit www.cradleleafforestry.org or contact Amy Garascia, Program Coordinator, at amysworkshopinfo@aol.com or 828-884-5713 ext. 26. ■

Should You Sell Your Timber Now?

Given recent headlines, you might think the answer is an emphatic "NO!" But you may want to consider these points:

- Timber markets are complex and defy simple conclusions. Remember stumpage prices don't always correlate with lumber futures prices, the stock market, or housing starts.
- Local supply and demand can have a significant impact on stumpage prices.
- Your forest may contain a variety of products which can change value in a relatively short time frame.
- Your timber's annual growth rate should be carefully evaluated before you sell. If it's 2% or less, harvesting now and reforesting the stand may make sense in the long-term by putting you on the road to improved growth and future profits. Selling mature, slow-growing timber at a fair market price now will enable you to reinvest in reforestation while putting your profits in promising investments that currently may be selling at bargain prices.

Now all this doesn't mean you *should* sell your timber. But if you choose to sell, be sure to do it right because once your trees are cut, they're cut. So be SURE you've done a good job marketing your timber. Be SURE to reserve the right to reject any or all bids so you're not forced to accept a bid that's too low. Be SURE to include a plan for regeneration as part of your harvest. Last but not least, be SURE to get an objective opinion on your timber's current condition and value from a qualified consulting forester. Keep in mind there are consultants and then there are "consultants"—some are honest professionals but others are just looking for a fast buck. Members of the Association of Consulting Foresters (ACF) are bona fide consultants and ethically bound to work in YOUR best interest, not his/her own. So for professional forestry assistance, especially when selling timber, contact the NC Chapter of ACF at



919-303-9957

You'll be glad you did! ■

ATTENTION LANDOWNERS IN THE REGION AROUND FORT BRAGG—YOUR HELP IS NEEDED!

By late summer 2011, the US Army will be closing two bases in Georgia and relocating equipment and personnel to Pope AFB at Fort Bragg. In anticipation of this move, a "Working Lands Protection Plan" is currently underway for each of the 11 counties surrounding Fort Bragg. This plan will help these counties develop additional tools and strategies to strengthen the economic viability of farms and forests. Once the WLPP is adopted by the County and certified by the NC Department of Agriculture, it will give priority status for counties seeking future grants from the Agricultural Development and Farmland Preservation Trust Fund.

Here's where you come in: Essential to the development of the WLPP is a survey of agricultural producers, timber land owners, agribusinesses, and citizens-at-large. Surveys are available at each county's Cooperative Extension office and will be available online.

"It is vital to get opinions from these stakeholder groups in preparing this plan" said Paul Dordal, executive director of the BRAC (short for "Base Realignment and Closure") Regional Task Force.

Among other things, responses to the survey will aid in examining the potential for farmland and open space protection programs and provide recommendations for the future of agriculture and forestry in the region. The surveys do not require specific identifying information from citizens or landowners and all submissions will be confidential.

To receive a survey or for additional information, please contact Grace Lawrence, WLPP Director at (919) 518-6463 or glawrence@bractf.com

For as little as \$15 per year, you can be a part of an organization that provides its members with a voice on national, state, and local issues affecting North Carolina's private woodland owners. *NCWoodlands* seeks to inform all North Carolinians on the benefits of forestry which include wealth creation, more wildlife, cleaner water, fewer wildfires, and healthier, more productive forests.

For a membership application to *NCWoodlands*, call, write, or email:



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*Mission Statement of **NCWoodlands**:*

To promote responsible stewardship of North Carolina's woodlands through sound and sustainable forest management.