FORESTLAND RECREATION

Enhance Your Land’s Recreational Value

Off the Beaten Path...Way Off

Properties Provide Turkey Hunting Opportunities

Understanding Recreational Immunity Laws

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Invasives

This magazine is a benefit of membership in your family forestry association.
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BY MARTHA WEHLING
AHOO!!! I got a free weekend in which I don’t have any major obligations (except writing this article)...What to do, what to do? As my wife was getting ready for work Saturday morning, she asked what I was going to do with my day. I stared at her blankly as she was writing a “to-do” list for the kids. Think quickly, Buck, you don’t want to find your name on that list. She smirked, “You’re going to play with your trees, aren’t you?” Yes! Yes, I am.

The sun was just coming up, so it was a perfect time to head out into the woods. I grabbed my handy IFOA apron, in which I keep several tools: ribbon, a Sharpie marker, a bypass pruner, a folding pruning saw, grandpa’s old pocketknife, and a Rite-in-the-Rain® notebook I picked up at the Family Forest Owners and Managers conference this spring (at the Wilbur-Ellis booth, I think). I scampered off into the woods as Jill drove down the driveway, confident that my name was not on the honey-do list. Perfect.

There was the faintest whiff of distant forest fire in the air. I am reminded of the Japanese practice of Shinrin-yoku, or “forest bathing,” which is a relaxation/meditation method—forest aromatherapy, if you will. Deep breath. I smell autumn coming. This prompts me to hand pile some slash from this spring’s logging. I like my piles small, high, and tight—ready for burning after a good soaking rain. I sit on a stump after I finish and contemplate moving Hole 4 of my frisbee-golf course to a pruned ponderosa pine. Scoring well on this hole will require the use of “Thor’s Hammer Throw” method of overhand throwing the frisbee over a clump of tall saplings.

I stroll down the skid-trail looking for the next diversion (I find it therapeutic to let my ADD run rampant on these forest excursions). Aha! The roof of our hunting tree stand partially collapsed under snow last winter. I enlist the help of my 13-year-old son to reinforce the roof with some poles cut from a precommercial thinning last year. We have a good time discussing the physics, aesthetics, and architecture of the tree stand—all the while dreaming of bagging the big buck we caught on the game-cam last week (we’re pretty sure it’s the one that got away last fall).

I spent the rest of the day skylarking on minor “tree-projects”—rejuvenating my spirit and re-creating my soul. I think the line between recreation and work is pretty blurry for us forest landowners. We work, sweat, and play in the woods. Calloused hands, an aching back, deep satisfaction, and a smile on our faces are all signals of a life in the woods lived to its fullest. That evening, I sat on our deck, whittling with Grandpa’s knife, his words to me ringing in my head, “Work hard. Play hard.” Two birds with one stone, as far as I’m concerned...I can’t wait to do it again tomorrow!
Work is Recreation

If someone told me 10 years ago I’d be a recreational birdwatcher, especially *Patagioenas fasciata*, well, lots of laughs. Band-tailed pigeons, the Northwest’s wild variety, arrive in hordes in the spring, fighting for space on the bird feeder. They’re big and they’re hungry.

What started as a “What are those birds doing here?” question, we’ve had fun participating with the US Fish and Wildlife Service (USFWS) in a research project on why pigeons use mineral springs. Our forest management plan includes creating an artificial mineral spring along with improving about two acres of cascara, choke cherry, and elderberry for feeding. And we supply them cracked corn in the early spring—120 pounds this year!

Todd Sanders, a USFWS expert on migratory birds, believes woodland owners are experiencing more frequent feeder-raiding by band-tails because of the lack of natural food sources. As I’m writing, there are about 50 acrobatic pigeons feeding on ripe cascara berries, with another 20 sparring at the artificial mineral spring, which is a large tray of salt water. As a side, a common complaint is these one-pound birds break conifer tree leaders, something they accidentally do during staging before feeding or watering. They prefer dead trees, so our plan includes girdling large, low-quality trees. Managing wildlife habitat is recreation.

**Building stuff out of logs** It sounds funny to write about recreation and building in the same paragraph, but it’s fun to create something out of Douglas-fir from either our place or from the forests of fellow woodland owners. It’s a challenge to build Westport chairs and log buildings. Someone asked me on Facebook why I was building a log structure. “Because it’s fun?” was the best response I could come up with.

A survey by our Washington County Small Woodlands chapter several years ago revealed that recreation was a goal for many owners. Participants listed building and using hiking trails, identifying plants, planting and nurturing trees, improving habitat for all types of wildlife, chipping or burning slash, enjoying forest solitude, pruning and thinning, and even cutting firewood!

To most Americans many of these activities sound like work, but most woodland owners call it recreation.
A s family forest owners we can enjoy the variety of fun recreation activities our tree farms provide. Some of us are already generating additional income potential through paid recreation services. I am pleased this issue will explore recreational opportunities for tree farmers and provide ideas if you would like to consider expanding the uses of your land.

We have many reasons for owning forestland, but even if recreation is not your primary goal, the potential for us and others exist. For our family it is the solitude and beauty of living on our land. No gym membership for Tom, we manage a working tree farm! The management practices we do—grass seeding a skid road, leaving clumps of residual trees, or creating view openings—are also enjoyed by invited hunters, hikers, bird watchers, and family.

Let me share some thoughts on public recreation policy. Many seem to think that to have wildland recreation experiences, forestlands need to be set aside only for those activities. Gone is the “multiple uses” concept of the past. Vast tracts of our national forests have been preserved as “Wilderness” to keep it natural where man is only a visitor. Most would agree that preserving some lands is a good idea, but a reasonable balance between what we set aside and how much is managed was never decided. Remaining federal lands were mostly designated for endangered species protection and recreation opportunities. We were told this would be a boom for recreation businesses, but many of our federal forest access roads are deteriorating and funds are not allocated to maintain them for public use. Policy decisions favor eliminating existing roads. Millions of acres are set aside for only a very few to use.

Washington state and many county parks are having their operating budgets slashed and many parks are being closed. Increased fees are now charged to use state parks and the “Discovery Pass” is also required to enter any DNR-managed state trust lands. Many state forestlands are being gated, as are most private industrial lands. Forty years ago almost all forestlands were available to public recreational access without an entry fee. Slowly the trend has changed to where forestland users are being conditioned to expect to pay for accessing public and private lands.

With these changes come opportunities for small private forest landowners. Even the smallest woodlots have tremendous possibilities for a whole variety of recreational venues that can supplement public recreation facilities. Depending on your goals and objectives, recreation may be a way to help financially sustain your tree farm.

As we enjoy our family tree farms it is nice to have options for keeping them viable for the generations to come.

Keep’em growing. ■

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PRESIDENT’S MESSAGE
Washington
TOM WESTERGREEN

Opportunities Abound for Recreation
**TIPS & TRICKS OF THE DAY:** You are allowed to kill a cougar if you are being stalked. No gun? Do your best to look big and be noisy; don't run as you might look like prey and we both know who has the best wheels in this race.

**WHAT TO DO IN . . .**

**NOVEMBER**

**Inspect Roads**

- Roads are the largest source of stream sediments from managed forest properties. Clean your water bars and culverts, and walk your roads on a rainy day with a shovel to make sure your drainage system is working. Working should include no direct road runoff to a stream. The US Supreme Court this year confirmed that forest roads were not a point source of pollution under the Clean Water Act. Their ruling does not mean the issue is dead or that we are doing a great job of managing storm water runoff. We can all reduce the sediment load in water running off our roads and the amount of sediment reaching our streams and rivers.

**DECEMBER**

**‘Tis the Season to:**

- Check out your tree farm while family members are home for the holidays. This is a good way to burn up some calories. Make it a rain-or-shine event. Pull invasive weeds while you walk along your roads and bring a shovel so you can drain puddles and touch up your drainage structures. Plant or transplant a few seedlings and check out the seedlings you planted in previous years.

- Harvest a holiday tree off your place. Maybe one you planted for this purpose or maybe one that is growing in the wrong place, or maybe one with poor timber genetics whose beauty will be discovered as you

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**DOTTF note from editor Dave Bateman:** Our Down on the Tree Farm group met for breakfast as we usually do to discuss ideas for this column. Thinning became a focus for discussion, and based on the amount of time we spent talking about it, it is definitely a hot topic. The following is what came out of this breakfast conversation. As this information doesn’t fit with the usual style used for this column, we are using a separate article to present the material.

**Too Many Trees?**

The most important activity after establishing a forest stand is to control the number of trees per acre by thinning. Reaching the free-to-grow milestone is not your ticket to pass go and ignore your new forest until you think it is ready to harvest.

**Properties west of the Cascades and not southwest Oregon**

If your planting spacing was 8 ft x 8 ft, then you planted 680 trees/acre; 9 ft x 9 ft you planted 530 trees/acre; 10 ft x 10 ft you planted 435 trees/acre; and 12 ft by 12 ft you planted 300 trees/acre. You may have experienced 5-10% mortality or got a few to a lot of natural seedlings if Mother Nature had a good seed year. Your managed trees/acre should be 100-120 trees/acre at harvest age, meaning sooner or later you will have too many trees. So how do you decide when to thin? There are a bunch of ways to look at it.

One rule of thumb is a “D-plus” approach to figure the space needed by the tree for it to continue to grow well, the post-thinning spacing. The D-plus is figured using the diameter of the trees (measured in inches) plus a spacing factor (3 of 4 for Douglas-fir) to get a number representing feet between the trees.

To illustrate the D-plus approach, imagine a young Douglas-fir stand planted at 10x10. You might notice things are looking pretty crowded before most of them get all that big. Some of the larger trees you want to keep growing are around 10 inches, so you might choose a D-plus 4 figure to determine that your post-thinning distance should be about 14 feet (10+4=14) on average. Don’t forget that the average tree will probably be bigger after thinning due to the “chainsaw effect”—you will have just thinned out many of the smaller trees.

I have heard a stand should have between 185 and 225 trees/acre after the first commercial thinning. The 185 trees/acre translates to about 15 feet between trees and 225 trees/acre is 14 feet between trees. The math looks like this: 43,560 sqft/acre ÷ 185 trees/acre = 235.5 sqft. The square root of 235.5 sqft = 15.3 ft, which is the average spacing between trees.

Another common technique to decide when to thin is based on the percentage of green crown. As your trees
grow larger their lower limbs get more shade and die, shrinking the amount of your tree bole with green limbs. You don’t want your percentage of green crown to drop below 30% in your crop trees, the 185 to 225 trees per acre discussed earlier that you plan to keep and grow.

With cut-to-length technology we have been able to do commercial or break-even thinnings in stands as they approach 20 years of age. We need a fair-to-good chip market and fair-to-good small sawlog market for these early entries to make money and be called a commercial harvest. We have been guilty of waiting too long to do our first thinning because we want it to be a commercial thinning rather than a precommercial thinning. Precommercial means the thinning took money out of our pocket or bank account vs. a commercial thinning where we had some net revenue after expenses.

Graphs and tables are also available to help you decide if it is time for you to thin and how much. The two shown on this page are from Oregon State University. On the Douglas-fir Thinning Guide graph to the right, you want your stand to fall between the two lines marking the boundaries of the “optimum growth zone.” The area above that zone shows that trees have enough space to grow freely, and can be left. Get them too crowded near or below the lower line and you are carrying too many trees per acre—your percentage of green crowns is getting small and tree growth slows way down. Mother Nature is picking your trees to harvest, not you. You want to thin when the stand is about to cross out of that zone. You want to thin to the number of trees per acre that puts the stand back just into the “leave” zone. If you have flat or flatter ground you might make several thinning entries and keep your stand dense, above but close to the bottom line of the optimal zone. On steeper ground where you would cable thin, you might thin harder (to move your stand to a less crowded condition close to the top line of the optimal growth zone) and reduce the number of commercial thinnings before final harvest. This same information can be presented in table form, as in Table 1 (OSU Extension publication EC 1132 Thinning systems for western Oregon Douglas-fir stands) below.

You’ll notice that the upper line marking the optimum growth zone on the graph gives you a similar number as the D+4 rule. The D-plus rule does not tell you when you need to thin, but interestingly, the line at the bottom of the optimum growth zone is close to a D+1.

Remember, diameter at breast height or dbh is measured in inches at 4.5 feet from the ground measured on the high dirt side of the tree.

Ideally, I think you should be at or below 300 to 350 trees/acre planted when you do your first cut-to-length commercial thinning. You would need to do a precommercial thinning if you are carrying more than 300 to 350 trees/acre. This is an opportunity for you to remove your trees with multiple stems, bad limb pattern or size, trees that are already falling below the average crown height, or are the most impacted by Swiss needle cast. It also gives you a little more time to wait for the small log and chip markets to favor a small log harvest without going below the optimum growth zone.

Properties east of the Cascades and in southwest Oregon

You folks are growing fewer trees per acre and more multi-aged stands where the harvest technique is selective

---Continued on page 23---
Amenity Forestry: Managing to Enhance Your Land’s Recreational Value

By JEFF DeBELL

Surveys of family forest owners in the US consistently show that most small landowners list amenity values—such as aesthetics and recreation—ahead of income from timber as the most important reason for owning their land. Improving the amenity value of your woodland can have several advantages. First, it will help you get more enjoyment from owning your property. Second, it can help create a closer connection to your land among children or grandchildren, thus increasing the chances of the land staying in the family as generations change. Finally, it can make the property more appealing to potential buyers if the time comes to sell the land.

Much of the knowledge we already have about how to manage forests can be applied to enhancing amenity values. The details of how we use the knowledge may differ a bit compared to managing primarily for timber, but the principles are the same. And although we may do things for the purposes of recreation that do not maximize timber revenue, this type of management is still quite compatible with growing timber and generating revenue from your property. In addition to our forestry knowledge, we can mix in a few ideas from garden design, landscape architecture, and park planning.

This article discusses ideas for making amenity improvements on your property. While some activities—such as building trails or planting—involves costs, these costs can often be offset by the value of timber removed at the same time. You can pick and choose from these ideas to find a mix that fits with your other objectives. As with any type of forest management, the key is to have a vision of what you want your property to be like and a plan listing concrete steps to get there. A good plan can minimize potential conflicts between different goals you might have as well as minimize your costs.

Identify the things about being in the forest that you enjoy most

A good way to start is to sit down and list the things about being in the woods that are most important to you. Maybe it is quiet walks, listening to the birds, picking berries, cutting your own firewood, or being around the campfire with your grandkids. Also make notes about spots on your property that are especially significant to you. Examples might include a patch of trillium, a large old maple tree, or a mossy cedar grove. Have other family members do the same thing. This list will help focus the plan on maintaining or enhancing the things that you value the most.

Divide your property into different spaces

Begin to think of your property not as a single block of land, but as a collection of unique places. To see an example of this idea, open up an illustrated copy of Winnie the Pooh and look at the map of the 100 Acre Wood. Notice how the Wood is made up of places such as the Bee Tree, the Six Pine Trees, and the Sandy Pit Where Roo Plays. You can make your own map using the list of special spots that you made earlier. Use these spots, together with differences in...
soils, topography, or vegetation to delineate your property into separate manageable areas. In garden design we might call these “rooms,” but in forestry we call them stands. Even if your whole property is uniform at present, dividing it into separate areas will provide the structure for creating contrasting conditions through management, such as harvesting, pruning, or planting.

Choosing an appropriate scale is especially important in amenity forestry. If you own 10 acres, you will want your stands to be fairly small, maybe 2 to 3 acres each. If you own 90 acres, you might want a variety of contrasting stand sizes ranging from 5 to 20 acres each. The idea is to be able to create several stand conditions, which is more interesting and enjoyable from the standpoint of aesthetics and recreation. It also provides habitat for a wider range of wildlife species.

Consider the tradeoff between aesthetics and tree growth when you plan to cut small patches or openings and replant with shade-intolerant species such as Douglas-fir, pines, or western larch. Smaller spaces tend to be aesthetically more attractive, but have more area adjacent to shady edges. This will result in some growth reduction in the small trees compared to growing them in traditional clearcuts. Very small openings of one acre or less can make long-term success difficult, but openings of 2-5 acres are likely to work, particularly if each cutting is followed 5-10 years later with additional adjacent openings to let in more light after the young trees in the first opening are well-established.

Another consideration is to make your openings large enough that most trees can be felled within the boundaries of the opening. This isn’t so important when cutting the first openings, but during later cutting it will prevent you from having to fall large trees into previous openings that are now filled with young trees.

Another tradeoff to consider if you are interested in amenity forestry is that the per-acre costs of management activities will be higher with small stands. This happens because there is a fixed cost of bringing equipment or a crew to your site, and when the job is small, this cost is spread across fewer acres. The key is to find people who have equipment sized for smaller operations and to be prepared to pay them more (or receive less for your timber) because they will have higher costs compared to more industrial-scale operators. The benefit is that you will have a more interesting and attractive property by managing on a small scale than you would if you treated your whole property as a single stand.

Design your access

Once you have your stands and special spots mapped out, you’ll want to figure out the best way to access those areas using roads and trails. Remember to consider both harvest-

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PHOTO COURTESY OF JEFF DEBELL
Small patch cuts are a good harvesting technique to create a variety of age classes on properties managed for recreational use.
ing and recreational access. If you own a large property, roads will be the backbone of this network. If you own 10 acres or less, you may only have a short spur into a spot to park and primarily use trails to access different parts of the property. Whether you have just trails, or a combination of roads and trails, good location and design, as well as proper maintenance, will help prevent problems and keep your access system in good shape.

Try to design trails so they can also be used for skid trails during harvest, especially on small properties. Although the most efficient skidding trails don’t make good recreational trails and vice versa, careful planning and working with the right logger should make a reasonable compromise possible. In fact, you might be able to use a harvesting operation to build your trail system. See the Tips for Trail Design sidebar for some considerations if you are planning to build trails.

Provide spots to rest or gather

As you are planning your roads and trails, include resting spots to break up the distance. A resting spot can be as simple as a few log rounds or as elaborate as a shelter with seating. The idea is to make it easier for family members with limited endurance, such as little children or the elderly, to be able to enjoy the woods with you. You may want to consider establishing a gathering place, such as a fire pit, camp site, or picnic shelter, particularly if you don’t live on the property. A roofed shelter can be especially nice in the rainy but mild weather of western Oregon and Washington. Landings needed for loading logs could be seeded in with grass or wildlife forage mix and maintained as camp sites between harvests.

Create contrast and enhance features that are special to you

Contrasting conditions between stands will make your property more interesting and appealing. Harvesting can be a very effective tool for creating variety on your property. For instance, if your entire property is covered in 35-year-old timber with little variability, you could cut some openings to establish younger age classes, heavily thin and underplant some areas to develop very large trees and a complex understory, and leave other areas unthinned to maintain a more dense look with a sparse understory. This is also an opportunity to enhance some of the unique features on your property.

For instance, if you have a large spreading oak or madrone that is starting to get overtopped by Douglas-fir, you can cut out the adjacent Douglas-fir to maintain the health of the picturesque hardwood.

Thinning can be used to develop large-diameter trees with a complex understory in some areas, providing excellent wildlife habitat as well as contrast with darker, denser areas elsewhere on your property.
If you enjoy the spring flowering of dogwoods, you can promote dogwood development and flowering by thinning the conifers, letting more light into the understory. If you have a pond and you like wood ducks, you might put up wood duck boxes in an area where you can watch them. You could also use pruning to open up the view through the woods, or underplanting with shrub species to develop wildlife food sources or fall color.

As you develop contrast between stands, remember to plan for growth and change. In older stands, change happens fairly slowly. But in young stands, such as recently planted openings, change happens quickly. If you enjoy picking trailing blackberries in recent openings, you’ll need to plan to create some new openings periodically as the young trees close in and shade out the blackberries.

**Deal with the problems that take away from enjoyment**

A final consideration is dealing with the unpleasant realities of land ownership, such as trash dumping, trespass, and invasive plants. These issues should be addressed in your thinking about amenity improvements. If you build trails, you may end up with unauthorized use by motorcycles or ATVs that damages your trails. Road access often attracts garbage dumping. And any disturbance, whether from road and trail construction or harvesting, can create conditions favorable to establishment of invasive plants. These things detract from your enjoyment of your property, but can be minimized with some planning.

Try to minimize the visibility of trails from public roads and property boundaries. Structural deterrents, such as gates or fences, can be useful in some spots. In other areas, maintaining thick or unpleasant vegetation near possible entry points might work. The key to minimizing invasive plant problems is prompt revegetation of disturbed areas, together with monitoring. Deal quickly with any invasives that appear before they can produce more seed or spread into a larger problem.

If you are interested in amenity forestry, there are a variety of things you can do to enhance the recreation-al value of your property. Although the process may seem overwhelming and expensive at first, developing a plan, breaking the plan up into smaller jobs, and allowing timber removals to pay for some of these projects can make your goals more attainable. Whether the changes are big or small, the process is a great way to involve your family with the land.

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**Tips for Trail Design**

1. **Start with a good plan before you build anything.** Scout out the route and mark it with flagging.
2. **Incorporate water drainage into the design.** Just as with roads, getting water off trails as quickly as possible is critical to keeping them in good shape.
3. **Decide what trail width will work best for you.** If you commonly walk with others, it’s easier to chat if your trail is wide enough to walk side by side.
4. **Design loop routes rather than out and back trails.** It’s more fun to walk a loop than to return on the same section of trail you just hiked. Several connecting loops will give you options for short or long hikes, depending on which segments you choose to walk.
5. **Avoid long straight sections.** It is more interesting to walk a trail with curves and shorter sight distances.
6. **Locate trails to visit all areas of your property, particularly points of special interest.**
7. **Keep the grade appropriate for the use.** Try to average less than 10% grade for hiking trails, although short sections of steeper grade can be used if necessary. Gentle grades are easier to walk and also have fewer erosion problems.
8. **Plan for routine maintenance to keep the trails enjoyable and trouble free.** In some areas, keeping brush from encroaching is important. In other areas, maintaining drainage function will be the biggest task.
9. **Consider marking trail segments with numbers, colors, or names.** This is especially helpful for trails with multiple loops when friends or family who are less familiar with the trails might hike them—assuming you also provide them with a map of the trail system.
10. **Start now!** Don’t let the daunting effort or cost of building a long trail delay your progress. Even if you only have enough time or money for a short section of trail right now, build it. You’ll be surprised how much more often you get in the woods when the walking is easier.

Note: Chapter 13: Recreational Trail Design by Baughman and Serres is a very useful publication available from the Woodland Stewardship website of University of Minnesota at http://woodlandstewardship.org/?page_id=48.
Off the Beaten Path...Way Off

By JOHN AND CATHY DUMMER

Rails can be a valuable part of forestland as most of you are undoubtedly aware. In addition to allowing access to more of your property, they are a nice way to get exercise and can also be a nice way to get to know your spouse a little better...as you will find out—read on.

A while back we started building a trail. Our property has a creek and we thought it would be fun to build a trail to the creek and also provide easier access to more of our property. Due to slash that was left from the last logging operation and the steep topography, covering any ground took significant bush whacking and a lot of time. Here is a brief outline of how this all went down.

Building a trail the John and Cathy way (not endorsed or recommended necessarily by John or Cathy, but effective in that it resulted in a trail to the creek—let’s keep the end in mind):

1. Develop the objectives and proposed uses for the trail (sounds a bit like something that should be in our management plan; OSU Extension Forester Amy Grotta, the instructor of our course on how to write a management plan, would be so proud). In our case they were: a) access to creek; b) better access to interior of property; and c) future conversion to road for logging (maximum grade 22% per course attended at the Clackamas County Tree School a few years ago).

2. Completely disagree about location of trail.

3. Resolve disagreement and laugh that either of us thought it really was that big of a deal...or at least act that way for the purposes of appeasing the other.

4. Traipse over property to determine best location. After hours of walking, settle only on the best location for a creek crossing.

5. Use high-tech drafting software to completely over-plan the routing of a simple trail. Develop several iterations of a 3D CAD model with profiles to show grade. Would you expect any less from two engineers?

6. Cut down and limb an alder to about 20 feet tall. Tie an orange flag at just the right height on the alder such that it can be used to find a path with 22% or less slope. See Figure 1.

7. Repeat steps 2 and 3 above.

8. Start at the creek and work up the hill, staking the trail at each rope length. For stakes we used salvaged lath from our last home demolition project. Our house was built in 1940, about the time a harvest took place on our property, and we pondered as we worked if any of that harvest was made into lath, made it into our house (in Portland), and was being returned from whence it came. (Queue up theme song for the day—“The Circle of Life” from The Lion King).

Everyone hears music while they are working on their property, right?

9. Use Global Positioning System (GPS) to locate trail for later mapping. You can never have too much data, unless of course you never use it, but we are both engineers, so collect data we shall.

10. Build trail using new fancy trail-building hoe. Enjoy the hard work and sense of accomplishment or be grateful that someone (else) likes to work hard.

11. Attempt to get young relatives

Figure 1. How John and Cathy used the alder pole with a flag.
12. Be careful about allowing other woodland owners to help: they may be unable to pull out the volunteer seedlings and you’ll end up with trees in the middle of the trail. We have over 15,000 trees on our property and my Dad couldn’t bear to take one out for this trail, so we have a tree or two in the middle of the trail. We can live with that—thanks for the help Dad!

13. After trail is largely complete, attend local Small Woodlands Association trail-building class and learn how to do it from the experts. Seriously, it was fantastic to gain some confidence by watching the pros struggle with the same things we do and fill us in on a few of the tricks of the trade.

14. Enjoy the accomplishment of having worked together on a project that really goes somewhere. That is seriously funny and you should be laughing at this point.

In addition to meeting our objectives, we’ve found other benefits to the trail. First we found that it nicely bounds a root rot area, making it easy for us to watch the development of the open area and the growth of bushes and shrubs that thrive with more sun. More recently we observed some serious beaver activity in the creek that would have been very difficult to get to...for us, the beaver seems right at home. We’ve recently laid out another trail to gain easier access to more of our property and have refined our technique a little.

We hope you enjoyed peering through a window into how our small woodland is managed. ■

**JOHN AND CATHY DUMMER** own and manage 40 acres of small woodlands in Washington County, Ore. They are members of the Washington County Small Woodlands Association and currently serve as chapter co-chairs. They can be reached at 503-970-8789 and cannbuckley@hotmail.com.
By JIM LONG

Near Independence Day each year, the Long family and friends renew the values of our 80-acre family forest in Hood River County, Oregon. At 2,500 feet, the property is book-ended by Mt. Adams to the north and Mt. Hood to the south. This year over 50 came from across the country—Oregon, Washington, California, and Florida—to revive our ties to the land and to each other.

In the late 1940s, my parents, John and Dorothea Long, purchased the cattle ranch on Fir Mountain. In the 1950s, brother Bud added nearby forestland. For the eight sibling families, these parcels—“Longhaven”—became a summer outdoor learning laboratory.

One venture was building a primitive log cabin in the “pine park.” Today, the A-frame stands as a tribute to “Grampa John” and “Wongie.”

After Dad and Mom sold the homestead property, six families acquired the forest and cabin. We selected a legal entity to manage the property in perpetuity. We started with what Oregon calls a Joint Venture and transitioned to a Charitable Corporation. Policy decisions are made by a board that represents each family and now includes a member of the fourth generation.

At this year’s get-together we celebrated our recent certification as a Family Forest with the American Tree Farm System. Around the diamond-shaped plaque, I noted each bold word: Water, Wildlife, Wood, and Recreation. The metal sign reminded me of the recreational values of, together, attending to the three “Ws”: water, wildlife, and wood. Here are a few examples from that weekend and a “thank you” to some who made them happen.

Water. Dad’s early irrigation system tapped water from Snake Head Creek for Christmas tree seedlings. Some of these trees got ahead of us and we manage them now for timber and pulp. At the new outhouse, thanks to Stefan’s catchment system, we enjoyed washing our hands with soap and water instead of sanitizer. During our customary walk-about this year, we ambled down to the creek and admired the riparian trail developed by sister, Pat, and her husband, Don, an OSU forestry graduate.

Wildlife. We observed more and more signs of wildlife—far more than I remember as a kid chasing beef cows. We saw cat scat, deer tracks, elk tracks, and signs of bear scavenging in rotten logs and stumps. We tent campers retired with the hoots of late-night owls and awoke to early-morning songbirds. A hummingbird darted into the cool fireplace to snatch a bit of ash. A familiar pair of ravens reconnoitered the cabin area. A chattering Steller’s jay visited us mid-morning. A chipmunk and a Douglas squirrel argued about territory in the pine park. We watched for—and this year, did not encounter—rattlesnakes.

Wild plants seemed more abundant—morel mushrooms, calypso orchid, wild strawberries. And again we enjoyed Dee Dee’s photo collection of Longhaven’s native plants.

Wood. We completed a commercial thinning almost a decade ago. Another thinning is planned for a year from now. Periodic logging receipts pay most expenses: taxes, OSWA.
membership, insurance, cabin maintenance, forest management.

We admired parcels de-limbed to reduce ladder fuels and, maybe, to produce clear lumber. Surprisingly, we discovered a patch of chinquapin, rare in these parts. A team of volunteers harvested dead oak for our new stove—handy for us who venture up snowy Fir Mountain in winter.

This year—pursuant to our new forest plan—a pre-teen volunteered to chop down a sapling within the defensible space around the cabin. Another youth took hatchet in hand to tackle another intruder. When I suggested siblings trade off, the young chap said, “No. I wanna cut this myself!”

Hmmm, so much for teamwork. But a clear signal to me about what rewards the new generation’s hard work.

Recreation. Individuals contribute so much to the Three Ws and, in doing so, to our family fun. Also, family members and friends add directly to other recreational values of our forest and its magnet cabin: a swing swinging continually; a tire dangling from a nearby “wolf” tree; a “football” game organized by son-in-law Jose from Peru; a cross-generational horseshoe contest cousin Roy set up; Susan’s group hike to Windy Point; Doranne’s calculating “three fingers from sunset” and reminding us “It’s time to walk to Wongie’s Lookout” scanning Hood River Valley and Mt. Defiance; and Sally’s choice this year of a poem she read aloud.

Our benevolence was stimulated again by friendly competition during Mike’s annual silent auction. Our nearest neighbors, docents at the Western Antique Aeroplane and Automobile Museum in Hood River, contributed a guided tour into the silent auction. And who should win? Nephew Rick who piloted his own plane from California!

For the first time, Rita set up two large, family-crafted picnic tables on Kevin’s excavated pad. We exchanged recipes and repeatedly sampled potluck dishes that “have to be finished because we have no refrigeration.”

We re-told family stories late into the evening around the fireplace—thanks to Doug’s ample supply of wood. The stories carried us to East Germany during World War II and back to one summer on the ranch when grandkids tipped over the tractor and cleverly righted it before Grampa John found out; and to another summer when a family friend caught his glove in the hay fork pulley, lost the tip of his pinkie, but thankfully resumed playing his beloved piano.

All these individual contributions add up: They reveal the beauty of the stream; they include the convenience of running water; they help develop a forest habitat increasingly attractive to wildlife and native plants; they help assure the health of our forest; they honor our family and its heritage.

These recreational values have become an enduring part of our family and forest legacy because someone acquired the property, constructed the cabin, developed a cross-generational board for decision making, and regularly recruit new leadership for year-by-year management of Water, Wildlife, and Wood at Longhaven.

Jim Long, a second-generation Long who grew up on Longhaven in Hood River County, Oregon, is the corporation’s forest manager. He can be reached at 541-673-3713 or jblong@dcwisp.net.
At some point in time, every forestland owner, whether large or small, will face a decision regarding the public’s growing interest in accessing their land for recreational purposes. Each owner must weigh the benefits against the risks of allowing the public to recreate on their property. Such things as the potential for profit, building goodwill, and managing existing trespasses must be balanced against increased liability, development of a sound public use management plan, and the time and funds that it will take to implement such a plan.

As an owner of over 116,000 acres of timberland near Spokane, Wash., Inland Empire Paper Company (IEP) faced this dilemma back in 2001. On one hand, the foresters were concerned about a growing use and abuse of their forestlands by the public. On the other hand, the company’s owner was concerned that closing off the lands to public access would erode goodwill in the community. The resulting directive was to find an economical way to accommodate public access, without infringing on forest management activities.

At this juncture, IEP hired Quality Services, Inc. to help them develop a comprehensive recreation access program. As a start, IEP developed a laundry list of key objectives for this program. In order of priority, they were: keep the timberlands open for public use; reduce road damage; protect riparian areas; eliminate logging equipment vandalism; and reduce trash dumping. Using these objectives, thorough analysis of recreational uses to be allowed and prohibited was completed.

Quality Services developed and initiated a fee access program, or “pay to play,” for those who expressed an interest in continuing their use of IEP forestlands. An annual or daily permit can be purchased that allows for a wide variety of day-use activities including hunting, fishing, mountain biking, horseback and ATV riding, hiking, firewood gathering, mushroom and berry picking, and scenic driving.

Could a Recreation Access Program Solve Some of Your Forest Trespass Issues?

—Continued on page 18—

Hunting remains one of the most popular activities that permittees enjoy on IEP timberlands. The fee access program was specifically designed to be conducive to family-oriented activities. In this photo, the young man just successfully filled his first tag, accompanied by Grandpa.

Illegal dumping is one of the issues that has been greatly reduced by managing and monitoring public access. The communities near IEP timberlands recognize the value of their access and will often report suspicious activities. Volunteers routinely ask to help clean up minor dump sites.
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Recreation Access Program
continued from page 16

Prohibited uses include overnight camping, campfires, and target shooting. Permits are available through a network of local vendors (gas stations and sporting goods stores). Annual permits cost $40 for an individual and $65 for a family; a daily vehicle permit costs $10. Approximately 4,500 to 5,000 permits are sold annually and the fee access program is financially self-sufficient (revenues equal or exceed costs). The program is managed through a combination of gate attendants at key entry points and roving security patrols to ensure that property visitors are adhering to a published set of rules.

The initial reaction to this program was mixed. Some users felt entitled to use land they had previously accessed for free. These individuals had to face the fact that this was not public property and the owner had a right to implement a structured program to ensure the safety of their property and visitors. Others quickly embraced the program as they saw the benefits of monitored access through the elimination of troublesome individuals and problems such as wanton trash dumping.

At the beginning of the program, property visitors were chiefly adult males seeking hunting opportunities. As the program has evolved over the

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This is a typical sign-in kiosk, that is placed at main entry points. The Rules of Use are posted on the board along with other information or restrictions. Prominent signage nearly eliminates the “I thought I was on National Forest land” excuses from visitors without permits.

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past 12 years, more families are choosing to spend some of their quality recreation time on IEP lands, including mothers with children who value the peace of mind generated by knowing their entrance and exit are monitored by gate attendants.

While hunting still remains the prime recreation activity on IEP forestlands, visitors also routinely engage in gathering firewood, huckleberry picking, ATV riding, and scenic driving. IEP has fostered a public awareness that their property is private and has built much good will by allowing individuals to have quick access to forestlands near their homes in the wildland-urban interface areas around metropolitan Spokane and Coeur d’Alene, Idaho.

According to Quality Services, there are a variety of tools at the disposal of forestland owners for managing public access to their property. Some states are providing financial incentives for public access through their Fish and Game departments. Other owners choose to create rules for public access but do not charge a fee to keep the statutory umbrella of liability protection in place (see article by Martha Wehling on page 24). Still others have developed hybrid programs encompassing some open public access coupled with exclusive lease opportunities.

Obviously, IEP owns enough land to support a comprehensive public access program that is beyond the scope of what most private forestland owners would consider. Many forestland owners, large and small, have reacted to similar public access issues by locking the gate(s), posting “No Trespassing” signs, and assuming (or hoping) the issues are resolved. IEP has the philosophy that recreation, like water and wildlife, is just another facet of holistic land management that should not be ignored. In addition to successfully achieving all objectives, the access program has also provided a platform for engaging and educating the public about sound forest management practices—this is something that benefits all landowners.

No matter what the context of your forestland ownership may be, turning a blind eye to public access and the value of recreation produces ineffective management and can lead to future complications. Does your forestland provide an opportunity for creating recreation revenue? Could a few simple rules of use eliminate or reduce the problems public trespasses create? I urge you to set aside some time to evaluate your property and define the recreation opportunities that may be waiting to be harvested. ■

SHELLEY TSCIDA is the CEO of Quality Services, Inc., Spirit Lake, Idaho, and can be reached at 208-623-2539 or qsist@frontier.com.
Small Woodland Owners Provide Turkey Hunting Opportunities

By DAN SHULTS

We arrived at our parking spot about an hour before first light and gathered together our equipment. Let’s see…backpack with decoys, turkey calls, camo face masks, gloves. Lastly, the old 16-gauge double-barrel shotgun and ammunition my grandson Tyler would carry. I hunted with the same old shotgun when I was a kid.

Tyler, 12 years old at the time of this hunt, had been following me around on turkey hunts since he was 8 or 9. The year before this hunt, he carried an old unloaded single shot .22 rifle as I taught him firearm safety in the field. Tyler impressed me on earlier hunts. He was able to sit still and quiet (well, mostly) for long periods. He endured rain and cold weather and was always excited to go along, often getting up and dressed before me! And he learned gun safety quickly. This time he would carry the shotgun. This was his first real hunt…and he was excited and ready.

Tyler was hunting under the Oregon Department of Fish and Wildlife’s (ODFW) Mentored Youth Hunter Program. This program, initiated in 2008, allows youth ages 9 through 13 to hunt under the close supervision of a licensed, responsible adult mentor. Brian Wolfer, ODFW wildlife biologist in Springfield, notes that the program gives youth a safe opportunity to try hunting before passing an approved hunter safety program. It helps kids to determine whether or not they like the activity before making the commitment. More information on the program can be found at www.dfw.state.or.us/education/mentored_youth/.

We slowly made our way up the old dirt road to the upper meadow in the slim light of a half moon. In previous years, I knew turkeys sometimes roosted in the tall second-growth timber near the meadow. We arrived at our chosen spot, put out the decoys, and got settled in just as a few small songbirds started to chirp and rustle in the understory brush. To me, dawn

TYLER SHULTS, SHOWN HERE WITH GRANDPA DAN SHULTS, SHOWS OFF THE TURKEY HE HARVESTED ON BILL AND JOAN ARSENAULT’S PARADISE CREEK RANCH IN ELKTON, ORE.

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in the timber arrives not with a “crack,” but more of a “creep.” Ever so slowly we could begin to make out the trunks of the trees around us, then the silhouette of the brush in the meadow. The predawn chill made us shiver, but the clear sky promised a beautiful spring day ahead. Suddenly, almost unexpectedly, we heard a gobble somewhere on the lower side of the meadow.

I pulled out my slate call and made a soft yelp, hoping to sound like a hen turkey just waking up on the roost. Almost immediately, there was an answering gobble. The gobblers had our location dialed in. Calling every 15 or 20 minutes and varying calls from soft to more aggressive yelps, we continued our early morning flirtation with a couple of toms.

As the sun crested the nearby hills, the gobbling became less frequent as the turkeys flew down from the roost. It was clear that they weren’t coming our way. As often happens, they were following the hens; what we turkey hunters call being “henned up.” This time, I thought they were headed down to the lower meadow.

Wild turkeys aren’t native to Oregon. Early turkey release in Oregon occurred 100 years ago, but was largely unsuccessful. The first successful turkey release was in northeast and north central Oregon. Starting in the mid-1980s, Oregon began an aggressive trap and transfer program with the Rio Grande subspecies transplanted into southern Oregon. Turkey populations have been increasing ever since and turkeys now occupy suitable habitat in about 35% of the state.

There are issues with turkey populations. Suitable habitat for turkeys is rare on public lands. Most suitable habitat exists on private land, with turkeys most prevalent on family forest owner properties. Turkeys can be a nuisance impacting homes and gardens, particularly when fed, and some complain about waking up early to gobbling in the spring. Male turkeys can also be aggressive during the spring mating season. According to Brian Wolfer, where small woodland owners allow hunting, complaints cease. Turkeys learn quickly to avoid human contact when hunted. Where hunting is not allowed, or turkeys occupy habitat in more urban areas, they can be a problem for landowners and ODFW.

Bill and Joan Arsenault, owners of—Continued on next page—

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the Paradise Creek Ranch west of Elkton where Tyler and I were hunting, allow about six sets of hunters to hunt their property each season. Notably, Bill and Joan were named National Tree Farmers of the Year in 2012 for their outstanding forest management of the property. Bill allows only one hunter with a partner or two to hunt at a time and prior notice is required so he can schedule the folks. While not significantly reducing the population on the ranch, the turkeys have become less of a problem. Bill says he loves the turkey hunters, but is really not fond of the turkeys! He and Joan enjoy the stories from the hunters—people Bill views as being just a little crazy to chase the birds in spring and fall. As a hunter myself, I think he may have a point.

Back to our hunt. With the hens apparently headed to the lower meadow with the lovesick gobblers in tow, we decided to circle back around and walk down through the timber to the lower meadow. After a walk of an hour or so, we arrived at the meadow, but weren’t able to locate the birds. Tyler was used to the frustrations of turkey hunting from our previous experiences, but as the grandpa, I wanted badly to see him get an opportunity to at least get close to the birds on his first hunt. We decided to head back to the upper meadow where we first heard the birds at daylight.

After a short hike, we arrived near the meadow where we could barely see into the opening through the timber. I made a short yelp on my box call. There was an immediate response from the meadow. Looking out into the meadow, I could now see a large gobbler in full strut! Two “jakes” (one-year-old male turkeys) were closer at the edge of the meadow near the bottom of the slope below the road where we stood. Tyler’s smile was a mile wide. He made it clear that whether jake or big gobbler, he was fine with harvesting any legal turkey. That was fine by me!

We were not in a great spot. Cover on the road was limited. Quickly, I pulled out a piece of camouflage netting we sometimes use for a blind. As we sat down, I draped it over the two of us. With every soft call I made, the two jakes would answer immediately. They were coming. We sat very still. The two birds walked up the slope gobbling all the way and passed with-the-crazy turkey hunters were sitting! I whispered to Tyler to wait; they were too close. The turkeys walked past us and headed down the road, still gobbling. Tyler had the heavy shotgun barrel resting on my knee. The birds were now far enough for a good shot, but too close together. I yelped again and they turned and stepped apart. I whispered to Tyler: “Pick one and shoot.” We had practiced on targets and he knew to aim for the head. He fired and missed. The jakes didn’t move. I whispered for him to shoot again with the other barrel! He fired and a jake rolled down the slope and was still. We threw off the camo and walked over to the dead bird. Tyler was one very excited young turkey hunter!

The next year Tyler took and passed the hunter safety education course. Since then he has harvested several blacktail deer, including a very nice three-point buck. Between school, sports, and friends, he hunts when he can. As a forester myself, I never miss an opportunity to educate him on forest management when we’re hunting together. The Paradise Creek Ranch has many great examples.

Small woodland owners like Bill and Joan, who generously allow limited turkey hunting on their property, do far more than provide a mechanism to keep our turkey populations wild and mitigate a potential nuisance. They may just help a young person on his or her journey to becoming a responsible adult. As one of those crazy turkey hunters, and a grandpa, I greatly appreciate the opportunities provided for hunting and recreation on small woodland owners’ property. Done responsibly, we all benefit.

Dan Shults retired in 2010 after a 34-year career with the Oregon Department of Forestry. His last position was as the South Oregon Area director. He can be reached at 541-868-7084 or shults4851@q.com.
Down on the Tree Farm
continued from page 6

- decorate it (your version of a Charlie Brown Christmas Tree).
- Do some short- and long-range financial planning. When will you need cash in the tree farm account, how much, and what do you have to sell to generate this revenue? Who will be responsible for managing this task?
- Walk the perimeter of your property and see what Mother Nature has been up to or maybe what your neighbor has been doing.
- Inventory your forest stands for trees per acre to determine if you need to thin.

**JANUARY**

▲ New Year’s Resolutions
- Renew your membership in your local woodlands association.
- Attend your woodland association’s annual meeting with your family. The other attendees could become your extended family.
- Invite a member of your woodland association to attend a woodland activity and offer to pick them up. This could be your newest member or a mostly inactive member.
- Get to know your forest neighbors.
- Make time for your children and grandchildren.
- Develop a safety plan for working on your property.

▲ Planting Season:
- January and February are the best months for planting bare root stock forest seedlings on the westside of the Cascades.

▲ Know Your Woods Words
- Line Tree: A line tree is a tree whose root collar is so well centered on your property line that you can’t determine if more of the bole is on your neighbor’s side of the property line or more is on your side. The rule of thumb is every other line tree is yours. If your property line passes through the bole of a tree at the root collar and you can tell which side of the property line more than 50% of the bole is located, the tree belongs to the party with more than 50% of the bole. Determining the ownership of trees that have your property line passing through their bole at the root collar is typically done while the tree is still standing. It is based on the geometric center of the tree and not the location of the pit of the tree.
- Knot: Remains of limb on the bole of a tree or in wood products manufactured from a tree. A knot in log scaling and grading is the dark portion of the limb, inside the bark and not the total diameter of the limb. Knot diameter in scaling and grading is measured at the edge of the log.

**Too Many Trees? continued from page 7**

thinning or a partial cut. Where you get lots of regeneration after disturbing the soil you might want to come in with a blade on a weed eater and mow most of the seedlings off while they are still small. Diameter plus something is probably not as good a rule as it is on the westside as you have several age classes in your stands. Maybe D+10 is a rough rule for a precommercial thin as you want to do it once and then come back for a commercial thin and have your trees produce logs with enough value to be profitable.

Carrying too many trees per acre leads to trees with small crowns, small diameters, low vigor, poor form (not enough bole taper), and susceptible to Mother Nature (snow, ice, wind and disease).
Free to Ride? Recreational Immunity’s Legal Benefit to Landowners

By MARTHA WEHLING

Recreational immunity rewards landowners for allowing public users on their land. It provides a nearly insurmountable legal hurdle if a user is injured and tries to obtain damages from the landowner. The immunity in Washington, Oregon, Idaho, and Montana generally applies regardless of whether the user is invited by the landowner. Depending on the state, the landowner has minimal responsibilities to the users, such as for posting signs or charging nominal fees, before he can take advantage of the immunity’s protections. However, because the landowner’s responsibilities vary by state, this article summarizes the significant aspects of each state’s laws.

Legal basis for recreational immunity

A landowner’s responsibility to a user of his property traditionally depends on whether the person is invited, licensed, or trespassed. States have chosen, to varying degrees, to modify this responsibility (to keep the premises in a reasonably safe condition, including a duty to inspect the premises and discover dangerous conditions) to encourage landowners to open their lands to the public for recreational use. The states have a few similarities and some differences in their specific approaches, and the main provisions of the immunity laws for each state are summarized in Table 1.

Similarities Among States. First, while all four states provide recreational immunity, the immunity is removed when the landowner charges a fee. However, as discussed below, the states have carved out varying exceptions to the definition of fee or set dollar limits that eliminate the immunity.

Second, although the specific legal standard varies, in all the states but Idaho, deliberate action by the landowner removes the immunity. Creating a hidden danger, such as laying a trip wire across a trail, would be a deliberate action. Idaho is silent on this provision in the immunity law.

Third, what constitutes the landowner also varies by state, although it is broadly defined to include nearly all types of property interest, such as tenants and easement holders.

Differences Among States. The states’ approaches to what constitutes a fee that removes immunity vary. For example, in Washington, a landowner may charge up to $25 for firewood and still be covered by the immunity, while in Oregon, he may charge $75 for a cord and $15 to park and still have immunity. If the Washington landowner charged $26 or the Oregon landowner charged $76, they would lose their immunity. However, the Oregon landowner would only lose it for firewood cutting; he would maintain it for any other recreational activity by the user on his property.

Another difference between the
states depends on whether the user requests permission for the use. Oregon removes immunity if a user requests permission from the landowner and it is granted, Montana and Idaho’s immunity exists with or without permission of the landowner, and Washington’s rules do not address requests for permission.

Obligations to post signs also vary by state. In Washington, a landowner must post a sign warning of known dangerous conditions, while in Oregon, signs must be posted to exclude the public. The Oregon laws contain recommended language and other requirements for the signs at ORS § 105.700(2) at www.oregonlaws.org/ors/105.700. Montana is silent on signs, while Idaho states

—Continued on next page—

Many mountain biking groups seek collaborative relationships with landowners for recreational use on private property.

Table 1. Summary of Recreational Immunity Laws

<table>
<thead>
<tr>
<th></th>
<th>Washington</th>
<th>Idaho</th>
<th>Montana</th>
<th>Oregon</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Governing Laws</strong></td>
<td>RCW 4.24.200-.210</td>
<td>IC 36-1604</td>
<td>MCA 27-1-751-754; 70-16-301-302</td>
<td>ORS 105.672-.696</td>
</tr>
<tr>
<td><strong>Signs</strong></td>
<td>Must post warning signs for known conditions</td>
<td>No requirement to post signs</td>
<td>Not addressed in rules</td>
<td>No requirement to post signs for immunity but may post signs to exclude public (rules contain sign requirements)</td>
</tr>
<tr>
<td><strong>Fees and Charges</strong></td>
<td>A fee removes immunity (with limited exceptions)</td>
<td>A charge removes immunity</td>
<td>Immunity, provided that no consideration is given</td>
<td>Charge removes immunity, limited to activity covered by charge</td>
</tr>
<tr>
<td><strong>Deliberate Conduct</strong></td>
<td>Intentional injury removes immunity</td>
<td>Not addressed in rules</td>
<td>Willful or wanton misconduct removes immunity</td>
<td>Intentional injury removes immunity</td>
</tr>
<tr>
<td><strong>Breadth of Activities</strong></td>
<td>Immunity covers broad range of land, air, and water uses</td>
<td>Immunity covers broad range of land, air, and water uses</td>
<td>Immunity covers broad range of land, air, water, and underground uses</td>
<td>Immunity is limited to outdoor recreation, gardening, woodcutting, and special forest product harvest</td>
</tr>
<tr>
<td><strong>Landowner Permission</strong></td>
<td>Not addressed in rules</td>
<td>Invitation does not alter immunity</td>
<td>Immunity exists with or without landowner permission</td>
<td>Specific invitation removes immunity</td>
</tr>
<tr>
<td><strong>Definition of Landowner</strong></td>
<td>Anyone in lawful possession or control of land</td>
<td>Broadly defined, and also applies to leases and conservation easements</td>
<td>Broadly defined, includes nearly all property interests</td>
<td>Broadly defined</td>
</tr>
</tbody>
</table>
that a landowner has no obligation to put up signs or maintain them.

Notably, in Idaho, the user is liable if she damages the property, livestock, or crops while recreating on the property, and in Oregon, the user may have to pay liquidated damages if she ignores a sign that specifies the property is closed to the public.

Further, what constitutes “recreational activity” varies by state. Each state’s laws define a non-exclusive list of activities. All the states include hiking, biking, scenic viewing, and other relatively low-impact activities. Washington also includes many types of airborne activities and rock climbing, while Montana’s list reflects its more rural nature, including dude ranching and target shooting. In Idaho, any type of animal riding is covered, while in Oregon activities covered also include volunteer work and hunting.

**Hypothetical applications of immunity**

No legal overview is complete without a hypothetical. To demonstrate the difference of the application in the states’ laws, we will consider a hypothetical scenario where Nelly Neighbor wants to come onto Larry Landowner’s property to cut some firewood.

Beginning with Washington, if Larry Landowner allows Nelly Neighbor to cut firewood, and charges her $20, Larry Landowner has recreational immunity. If Larry instead charges Nelly $30, he loses his immunity. If Nelly trips over a root and breaks her leg on her way to cut the firewood, Larry (when he charged only $20) has immunity. If Larry does not place a conspicuous warning sign for future firewood cutters, he loses his immunity if another neighbor trips over that same root and breaks her leg also.

In Oregon, if a member of the public comes onto Larry Landowner’s land, trips over a root and breaks her leg, Larry has immunity. However, if Larry invites Nelly Neighbor to cut some firewood, and Nelly trips over a root and breaks her leg, Larry does not have immunity. If Larry charges $80 to cut a cord of firewood, he loses his immunity for any injury caused by cutting firewood. If, however, Nelly paid $75 to cut a cord of firewood but once she got onto the property, tripped over the root while chasing an owl to see if it was spotted or barred, Larry still has immunity. If Nelly ran past Larry’s sign that said “Closed to Entry” in hot pursuit of the owl, she may have to pay up to $1,000 liquidated damages to Larry.

In Montana, firewood cutting is not defined as a recreational activity. Like our unfortunate Washington and Oregon cutters, Nelly Neighbor trips and breaks her leg, but here, the recreational immunity law doesn’t apply. If, however, Nelly brings her sled and headlamp onto Larry Landowner’s property, intending to get downslope, do some spelunking, and as an afterthought, grab some firewood to warm up with that night, Larry has immunity for the broken leg Nelly gets when her sled careens out of control into the cave entrance.

Like Montana, Idaho does not include firewood cutting in its definition of recreational purposes. Nelly Neighbor rides her mule onto Larry Landowner’s property and notices a sign in the bushes that says “Watch Out for …” but the rest of the sign is illegible. Nelly’s mule spooks at a rustling in the bushes, and Nelly falls off and breaks her leg. In addition, her mule races through Larry’s potato field, destroying part of the crop. Larry is not liable for Nelly’s broken leg whether or not the sign is legible, but Nelly is liable to Larry for the damage to his potato field caused by her runaway mule.

**Considerations for landowners**

Recreational immunity conflicts arise more often for wheeled recreational users (mountain biking and ORVs) because many other recreational opportunities exist for hikers, bird watchers, and horseback riders on federal and local government lands. In Washington, this issue made the news twice in 2012 when the Department of Natural Resources shut down 25 miles of trails on state trust lands in
Whatcom County and then was sued in Clark County when it tried to adopt a recreation plan that included trails that had been illegally built.

Recreational immunity provides a nearly insurmountable hurdle for an injured user to obtain damages from the landowner—provided that the landowner does not charge a fee. Recreational groups recognize this benefit to the landowner and seek out collaborative relationships with willing private landowners that allow the users to develop their preferred uses on private land, such as mountain biking trails.

Much like hunters self-police poaching, a well-organized and funded recreational group can provide benefits to the landowner. First, a user group polices the area so the landowner can expend less effort enforcing his private property rights. Second, groups with resources not only design usable trails, they maintain those trails, reducing erosion and impacts from unmonitored illegal trails.

Two different examples of collaborative relationships can be found in King County, Washington. Hancock Forest Management charges fees permitting a variety of users on four properties. Hancock designates separate areas for motorized and non-motorized users. It does not allow construction of artificial jumps. Because Hancock charges a fee, if a user is injured, Hancock cannot rely on the recreational immunity statute.

In contrast, King County coordinated with Evergreen Mountain Bike Alliance for the construction and maintenance of a mountain bike park. The Alliance received grant funds for the construction, which includes jumps and features favored by mountain bike users. King County does not charge a fee for the use of the trails, so the immunity statute applies.

If you decide to allow recreational users on your property, remain vigilant in monitoring the laws in your state to ensure you do not inadvertently waive the enormous legal benefit given to private landowners through recreational immunity laws and consult with an experienced attorney for application of your state’s laws to your situation.

**CALendAR**

**Foresters’ Forum**, Feb. 5-7, 2014, Coeur d’Alene, ID. Contact: Ric Hagenbaugh, 208-883-4488 x117, hagenbaugh@nmi2.com.


**Tree School Clackamas**, March 22, Oregon City, OR. Contact: Sally Yackley, 503-655-8631, sally.yackley@oregonstate.edu.

**Family Forest Landowners and Managers Conference and Exposition**, March 24-25, Moscow, ID. Contact: Kirk David, info@idahoforestowners.org.

**Oregon SAF annual meeting**, April 30-May 2, Seven Feathers Casino Resort, Canyonville, OR. Contact: Mark Buckbee, 541-580-2227, buckbeefamily@msn.com, www.orestry.org.

**Washington State SAF annual meeting**, May 7-9, Pack Forest, Eatonville, WA. Contact: Paula Hopkins, 253-951-1457, 4estmgr@gmail.com.

**Washington Farm Forestry Association annual meeting**, May 15-17, Bellingham, WA. Contact: Tom Westergreen, 360-966-3605, tomwestergreen@hotmail.com.

*Send calendar items to the editor at rasor@safnwo.org by December 17, 2013, for the winter issue.*

**Oregon Tree Farm System to Hold Events**

The Oregon Tree Farm System will be holding their annual meeting, workshop and recognition luncheon at the World Forestry Center in Portland on Monday, November 25.

From 9:00 a.m.-11:00 a.m. a Forest Management Planning Tools Workshop will be held. Instructors Amy Grotta, OSU Extension, Jim Cathcart, Oregon Department of Forestry, and Mike Cloughesy, Oregon Forest Resources Institute will describe new computer-based tools that can make management plan development by landowners or consulting foresters much easier and complete. The tools to be demonstrated include Know Your Forest.org; Oregon Forest Management Planning Website; My Land Plan; Woodland Discover Tool; and Oregon Bio-diversity Explorer.

The workshop will be followed by a brief Oregon Tree Farm System business meeting and then a lunch honoring the County Tree Farmers of the Year. A high point will be the showing of a video featuring all the county winners and the announcement of the Oregon Tree Farmer of the Year for 2013.

The workshop is free and the luncheon cost is $25/person. For more information, contact Anne Hanschu at 503-357-2551 or netvetrdh@gmail.com. A flyer can be downloaded from www.otfs.org/_pdf/12_OTFS_Flyer.pdf.

**Martha Wehling** is an associate at Phillips Wesch Burgess PLLC, an environmental, land use, and real estate firm. She can be reached at 360-742-3500 or mwehling@pwblaw-group.com.
TreeSmarts: Forest Research You Can Use

TreeSmarts: Forest Research You Can Use appears in every other issue of Northwest Woodlands. Column editor Ed Styskel reviews research being conducted from a host of sources, sorts through the items of interest to family forest owners, and provides a short summary of the pertinent results in understandable language. If you have a suggestion to share with Ed, please contact him directly at edstyskel@gmail.com.


Fire historically played a fundamental ecological role in many of America’s wildland areas. However, the rising number of homes in the wildland-urban interface (WUI), associated impacts on lives and property from wildfire, and escalating costs of wildfire management have led to an urgent need for communities to become “fire-adapted.” Climate change, insect pests, diseases, and other influences also contribute to vast changes in wildland vegetation that in many areas result in landscapes that are drier, less resilient, and more likely to burn once ignited.

About 32 percent of US housing units and one-tenth of all land with housing are situated in the wildland-urban interface, and WUI growth is expected to continue. While the degree of risk may vary from one place to another, given the right conditions, wildfire can affect people and their homes in almost any location where wildland vegetation is found. Even structures not immediately adjacent to wildland vegetation are at risk of damage from wildfire because embers can be transported by wind to ignite vulnerable homes a mile or more away from the flame front.

In recent years a wealth of research on attitudes and behaviors of homeowners in the WUI provides useful insights into their varying levels of participation in and commitment to actions to reduce the risk of damage from wildfire.

For example, homeowner involvement to reduce wildfire risk varies in the level and nature of effort. Motivating factors vary by the individual. Perceptions of risk vary, causing some to delay treatment until actually faced with a wildfire. Time, monetary resources, and technical knowledge can be limited. Feelings toward regulations are often mixed, especially if not viewed as fair, trustworthy, or part of a wider effort. Landowner preferences toward the aesthetics of their landscape can help or hinder. Conflicts with homeowner association covenants may conflict with wildfire prevention measures.

Several initiatives exist to help educate and involve individuals and communities about fire safety. The Firewise Communities program fosters develop-
ment of wildfire hazard mitigation plans and creation of defensible space. Ready, Set, Go focuses on life safety aspects and preparedness to evacuate homes and neighborhoods. The Fire Safe Council provides resources such as a media handbook, communication manual, and grant-writing workshops.


(Reviewer comment: This article is obviously not recent, but the information is still relevant and thorough.)

Windthrow is a natural phenomenon affecting forests. Catastrophic windthrow occurs infrequently when exceptionally strong winds cause widespread and extensive damage to large areas. Trees are usually blown over in a single direction (within about 30° of the storm wind direction) and stem breakage is common, particularly on deep, well-drained soils where good root anchorage occurs. It is difficult to manage for catastrophic windthrow because the frequency and occurrence of storm winds are not known for many locations.

Endemic windthrow occurs more regularly, but on a smaller scale. It usually occurs in areas that can be recognized as having an inherently higher hazard. It occurs as a result of numerous, lower-velocity windstorms and affects individual stems or small groups of trees. Endemic windthrow often spreads progressively from an abrupt or unstable boundary and is often an indirect result of forest management practices. However, much can be done to reduce the area extent and damaging effects of endemic windthrow.

Windthrow is dependent upon the interaction of a great number of factors. The importance of each individual factor varies from place to place and from time to time. This windthrow handbook is intended to give users an introduction to the subject and to suggest possible options for assessing windthrow hazards and managing windthrow to minimize its impact.

The authors describe the mechanics of windthrow, factors affecting windthrow, windthrow hazard evaluation, and windthrow management strategies.

The section explaining windthrow mechanics is rather technical, but can be summarized as when the horizontal forces on a tree are transmitted down the trunk to create a torque that exceeds the resistance to upturning of the root/soil system.

Factors that affect windthrow are: (1) individual tree characteristics; (2) stand characteristics; (3) root zone soil characteristics; (4) topographic exposure characteristics; and (5) meteorological conditions.

Evaluating a windthrow hazard can be judged in a high-moderate-low classification that subjectively looks at wind force factors, resistance to tree overturning, and other factors.

The authors end the handbook by providing specific windthrow management recommendations for various cultural treatments. Here are some examples from the 39-plus suggestions.

To create wind-firm edges during clearcutting treatments, utilize natural landscape boundaries (e.g., rock bluffs, bogs, non-merchantable timber, landslides, or snow avalanche tracks).

For edge stabilization treatments, use edge feathering so that stem removal does not exceed 15-20% of the trees in a strip 65-100 feet inward from the stand edge.

When partial cutting or commercial thinning, avoid such treatment at clearcut edges, especially if poorly drained soils, shallow soils, or other high hazard conditions are present; leave an untreated buffer between the opening and the new treatment.

For regeneration or stand tending treatments on windthrow-vulnerable sites, use a series of light-intensity spacings or thinnings rather than a single heavy treatment; allow several years between each entry so that remaining trees can adapt to the new wind regime.
DEAR TREEMAN, What chemical in the wood of a cedar chest kills the moths so they won’t eat your clothes? Or is it just the smell that drives them away? —Connie

DEAR CONNIE, We are hopeful this missive is reaching you prior to your visiting the Pendleton Woolen Mills and not as a post-purchase triage.

First, moths do not eat your clothes. There are over 200,000 moth species around the world, but only a select few threaten your wardrobe. Tineola bisselliella, known as the common clothes moth, webbing clothes moth, or simply clothing moth, is a species of fungus moth from the family Tineidae.

But the moth’s larvae should be our focus. Immediately upon arrival, these crusaders immediately begin a “holey” war on wardrobes. But again, we have yet to reach the crux of the matter. Larvae are able to digest only animal fibers. Clothing made from acrylics, silk, polyester, cotton, whatever, can still be damaged by the larvae as they cut through the fibers seeking stains on the fabric, residue from our gastronomic gluttony, or to gain access to peripheral dirty wool or fur.

So does that mean if we’re vegetarians, we’ll be extricated of these critters? Likely not, as personal hygiene enters the picture, and the ubiquity of dead skin cells muddy the clothings (sic). Thus, our focus should focus on prevention, not cure. And we shall deist from additional witticisms.

Maybe you decide to go the chemical route and are a consumer of mothballs (paradichlorobenzene) or moth flakes (napthalene). These are both poisonous to moths, but only if the clothing is stored in a tightly closed bag or box. Closets are not tight enough to ensure an efficacy from these two chemicals. And cedar-lined closets are also reputed to repel moths, but their reputation probably derives from well-built cedar chests, which moths cannot invade because they are built so tightly, not because they are odiferous. We could resort to cedar oil at high concentrations as a repellant, but cedar lumber loses most of its oil in a few years.

For anyone selecting the avenue of the cedar-lined chests, eastern red-cedar, Juniperus virginiana (which is actually a juniper), does kill moth larvae over a period of time. However, once the toxins have diminished in toxicity, in conjunction with our attention span, we’re back to square one. And sorry, red cedar won’t work.

So what next? We could freeze our clothing for up to two weeks, killing all stages of moth larvae, as well as any other bugs that could be making a meal of our winter woolens. And for you remodelers, consider a walk-in freezer versus a walk-in closet. No?

How ‘bout pyrethrins? They are powerful, but they are also very toxic. Camphor? A natural wood derivative, but it does require large concentrations, although maybe a wise choice as it also serves as liniment in medicines for the common cold. Lavender? It takes a bunch of the stuff. And guys...do you really want to go around smelling like lavender?

By Jove, I think we’ve got it! Trichogrammatid wasps, tiny, parasitic wasps that place their own eggs inside those of the moths; their larvae eat the moth eggs. They are harmless to humans, but are among the more important biological control agents known, attacking many pest insects. Is that a tautology?

Initially, we could have said the answer to holes in your clothes is cleanliness (remember, they need animal fibers) and an airtight container (zip-lock-type bags for clothing) or possibly a well-built cedar (juniper) chest. But we are merely stating our belief that the voyage is more important than the destination. —Treeman

DEAR TREEMAN, Recently, I read an article you wrote about cutting firewood. I think a man of your advanced years should look into other things that aren’t so physically demanding. And if you must keep it up, a friend of mine says that DMSO is the best muscle medicine going. He uses it on his horses. —Straight from the horse’s mouth

DEAR STRAIGHT, Yes, as a young-un, I watched Mr. Ed, and I’m quite sure you’re not associating me with any other anatomical part of the horse... And FYI, we took your note due to its relevancy to forestry-related issues.

Dimethyl sulfoxide (DMSO) is an organic compound that contains sulfur. It was first synthesized in 1866 by a Russian scientist named Alexander Zaytsev. Due to the sulfur content, DMSO is associated with foul odors. Dimethyl sulfoxide is produced from dimethyl sulfide, a by-product of kraft pulping. Ah-ha, now we know why that paper plant, referenced as the “stink plant” when we were children, had such a malodorous effulgence.

DMSO is a colorless liquid that mixes with just about anything (miscible). It readily penetrates the skin and when coming in contact, causes a garlic-like taste in the mouth for many individuals. It has been hailed as a cure for cancer (incorrect) and to decrease pain and speed the healing of wounds, burns, and muscle and skeletal injuries (dependent on the user).

Some, including my mother, swore by the stuff. And yes, we’ve given it a rub (mixed results). So if you insist on cutting your own firewood and are in those “advanced years,” maybe DMSO is in your future...along with breath mints. —Treeman
WFFA Names New Executive

The Washington Farm Forestry Association (WFFA) is pleased to announce the appointment of a new executive director, Dr. Elaine Oneil. Elaine will be focused on building relationships across the spectrum of forestry, wood products, and consumer groups while demonstrating the core benefits of WFFA member contributions to the wider community.

Elaine will coordinate her duties at WFFA with continued activities as executive director of CORRIM, the Consortium for Research on Renewable Industrial Materials, a university-controlled research consortium that conducts research related to the environmental footprint of producing wood and wood products. In this dual role, Elaine plans to be the bridge in a sustainable forests/sustainable communities coalition that builds on the “hands in the earth” knowledge of WFFA members and links it to broader research, education, and implementation efforts.

In Dr. Oneil’s words, “The narrative that defines sustainability is in flux. Landowners and managers, scientists, educators, engineers, architects, and communities all have a piece of the puzzle that needs to be integrated in order to sustain the complex adaptive system that contains the forests that produce our wood and other amenity values and the communities that use those products. Given our naturally abundant forested landscape and the level of citizen engagement directed at questions of sustainability, we are in a unique position in the Pacific Northwest to advance a framework of sustainability that is sensible, achievable, inclusive, and locally driven. I am pleased to have the opportunity to be the bridge between these diverse interests and groups.”

“The WFFA Executive Board is very excited to have someone with both a farming and forestry background and the training and credentials that Elaine brings to the position of our next executive director,” said WFFA President Tom Westergreen. “Elaine’s leadership skills, business knowledge, and depth of forestry experience will help the association better serve our members. Her vision of a time and an environment where our sustainable tree farm stewardship is widely recognized and respected is one we celebrate.”

Elaine can be reached at 360-264-5794 or eoneil@wafarmforestry.com.

WFFA Annual Meeting Hosted by Whatcom County

The 2014 annual meeting of the Washington Farm Forestry Association will be May 15-17 at The Lakeway Inn Best Western Plus in Bellingham. The Whatcom County Chapter will host the meeting.

The meeting will include speakers, vendors, exhibitors, and Tree Farm Awards Luncheon, with the business meeting scheduled for Friday, May 16. Saturday’s event will be a tree farm tour at the multi-generational Westergreen family property near Sumas.

For more information, contact Tom Westergreen at 360-966-3605 or tomwestergreen@hotmail.com.
Indispensable for the forest manager

Wildlife in Managed Forests: Deer and Elk is your guide to managing these animals in your forest. Fully updated with the latest scientific research, it explains behavior, how to encourage a vibrant population, and how to tackle the challenges they pose to timber production.

It’s free, in printed or digital form.
Go to OregonForests.org