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Tips for Landowners Attempting to Salvage Hurricane Damaged Timber

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Introduction

Hurricane Katrina's impact on the forests of south Mississippi was catastrophic. The challenge for land owners, loggers and consuming mills is to salvage as much of the volume and value from those forests as possible. This process is not going to be easy, and raises special problems for those buying the timber and conducting the necessary operations. Landowners can expedite the process by doing some preparatory work. The items listed here are just a few suggestions to make the process flow easier and be less stressful.

Salvage Operations

Hurricane salvage does not reduce the liability of the sellers, the purchasers, or the contractors handling storm damaged timber. They must follow the same procedures used under normal conditions to assure the business arrangement is properly conceived and conducted.

The ownership must be checked for liens against the property, an indication that someone else, such as a bank or lending company has a claim on the property. Any lien must be satisfied, or the claimant has to agree that the sale or contract can go forward, before anything is done.

The ownership may be complex, many titles have extensions of "et ux" (and wife), "et vir" (and husband), "et al" (and others) that indicate additional parties must also agree to the sale or contract. Other properties may be held by "tenants in common" such as heirs that decided to keep inherited whole rather than divide it. Other properties may be administered by trustees, executors of estates, or under rental or lease contracts.

In these cases all with a claim or interest in the property must agree to the sale or contract before anything can be done.

In normal times, this may take days or weeks to accomplish. In times like these, when records have been lost or destroyed, communications disrupted, people dislocated or worse, it will take longer. The sooner ownership issues are addressed, the better the chances of a successful salvage.

Landowner Tips

The concern of all involved is that the salvage does not create more problems for the seller, the purchaser, and the contractors involved. Private landowners needing salvage work done can speed and aid the process by providing:

Protection

- Fire will be a major risk during the salvage period. Do anything you can to protect your property,
 - Avoid open fires, don't burn debris,
 - If possible, open and bush hog fire lanes around and even through the affected area;
- Find and mark corners and property lines if possible;
- If you don't live on the property, visit it regularly or ask someone in the area to keep an eye on it for you;
- Discourage other people not actively involved in the salvage – hunters, sightseers, and even the neighbor's children from coming on your land – damaged timber is dangerous.

Preparation

- Get your records and documentation ready and work out agreements with others who may have an interest in the property;
- Contact your forestry consultant and lawyer ahead of time if you intend to use them;
- Talk to your accountant or banker concerning the business and tax aspects of the sale;
- If you have participated in any of the forestry support programs, such as the Conservation Reserve Program, contact the appropriate agency and inform them of your intentions;
- Think about any hazards – old house sites, dug wells, trash dumps, junk automobiles, old wire fences, etc, on the property – and be sure to mention them at the start of negotiations;
- Think about any "special areas" such as abandoned grave yards, red cockaded woodpecker colonies, septic tanks and drain fields etc., that could create problems if they are disturbed.

Participation

- Take an active role in removing obstacles that may affect the sale.
- Make the preliminary contacts with the county supervisors or the county engineer concerning road use, truck routing, and bridge issues.
- Check to make sure that utility lines are high enough for trucks to get under, and contact the utility company if they need to be raised. (The top of the load on a loaded log truck is 13.5 feet from the ground. Lines should have at least 15 feet clearance.)
- Contact adjacent landowners concerning access, boundary lines and boundary issues.
- Do what you can to make the salvage operations more attractive to a purchaser.
- For example, a group of landowners in an area offering their sales as a package can make the individual parcels more attractive to both the purchaser and the contractor because move times and administration costs will be reduced.

Patience

- Everyone and everything associated with salvage and recovery is under a great deal of stress. Deal with reputable people and work with them to get the job done;
- These things take time, and salvage will likely take longer because of the damage to the civil and physical infrastructure;
- Logging is a disruptive activity under the best of conditions, and it will particularly unsightly during salvage conditions. You should be interested in how the property is left when the operation is completed, allow the contractor sufficient flexibility to do the job safely and efficiently while operations are underway. Cleanup can come at the back end.

Perseverance-

- The conventional markets and the logging force in the area can't absorb all of the salvage material available immediately;
- Don't be discouraged if your first contact does not appear interested, someone else might be;
- Market opportunities may develop. A major effort is under way to find ways to:
 - Move some of the excess wood out of the region,
 - To build and operate wet storage yards,
 - To identify and develop markets for the material, even after the deterioration starts;
- Selling a commodity that every one wants is easy;
- Marketing a product such as storm damaged timber takes work.

These are challenging times; timber may be only one of the losses you have suffered. Nothing can reset the clock or restore the timber, but doing things well can work to minimize the emotional and financial impact of the loss.

We, the landowners, the loggers, the consuming mills, and the forestry profession are all in this together. How well we join forces to get the job done, done right, and not inflict unnecessary harm on the other participants will determine the future of Mississippi's forests and forestry.