BRANCHING OUT
Maryland's Forest Stewardship Educator

COLLEGE OF AGRICULTURE & NATURAL RESOURCES

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Posting Your Property & Trespass

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This article is not intended to be a substitute for counsel from a lawyer or insurance agent regarding a particular situation. Individuals who want or need this counsel are urged to seek a knowledgeable and competent source.

With hunting season around the corner, many landowners wish to control who will have access to their property. The overabundant deer population in Maryland makes it important for private landowners to encourage the harvesting of deer, especially doe deer. While you may not hunt, allowing other hunters to use your property is highly recommended. Maryland hunting regulations require hunters have written permission to hunt on private property they do not own. Posting property in a conspicuous manner makes it illegal for any recreationalist to enter the property without the owner's permission. The challenge is how to let others know your property boundaries and that there is no trespassing without permission. Then you can decide whether or not to provide permission.

Blue paint marks replaces the need for no trespassing signs. There is no need for both as seen in this picture.

Posting conventional no trespassing signs can be an expensive and time- consuming project. Vandalism of signs by trespassers is common with the belief that if no sign exists then access is allowed. Trespassers not in possession of the written permission of the landowner can be cited if challenged by the Maryland DNR Natural Resource Police (NRP).

Blue Paint Law

A Maryland law passed in 1989 (Natural Resource Article 5-209) makes the chore of posting much easier and cheaper for landowners by allowing the use of vertical strips of oil-based blue paint as an alternative to signs. The law states that paint marks must be at least 2 inches wide, 8 inches long, and centered from 3 to 6 feet from the ground or water surface. Although the distance between marks is not stated, mark them close enough that a person standing in front of one mark would be able to see the paint marks to their right and left. Every few years the paint marks can be freshened up but maintenance is far easier than dealing with signs.

(Note that similar laws exist in other states, and the color of the paint varies. For example, Pennsylvania and West Virginia landowners can use purple paint to mark their boundaries. Virginia landowners can use purple or aluminum-colored paint for the same purposes. Be sure to check local regulations if traveling out of state to hunt.)

Prosecuting Trespass

Prosecuting for trespass is not without its challenges. Maryland law make it clear that it is unlawful to trespass on properly posted private lands and that, whether posted or not, persons must leave the property immediately upon request by the landowner or the landowner's agent. The important point is that to successfully prosecute for trespass, it is best to have the Maryland NRP issue the citation. To do this they must witness the trespass firsthand, which can be difficult. In some cases, it is best to wait and call the NRP when the trespasser is unaware they are being watched and will be on the property for a time.

If a citation is issued by an officer, the person is not taken away in handcuffs. These offenses are misdemeanors and if convicted, the trespasser is subject to imprisonment not exceeding 90 days or a fine not exceeding $500 or both. In reality, jail time is rarely given unless it is for serious or repeat offenses. Trespass is a crime against the landowner; therefore, you will need to appear in court with the officer to verify the person was trespassing. Experience has shown that in cases where the landowner does not appear in court to verify the trespass, the case will most certainly be dismissed.

*See **Posting**, p. 2*

Inside this issue:

***Posting** from p. 1*

Landowners may be unwilling to appear in court due to fear of retribution, property damage, or other reasons. Therefore, before calling the police to confront trespassers, be prepared to appear in court if you want a successful prosecution.

If you are not able to control trespass on your property, it is recommended to provide permission to a group of hunters or a hunt club. These groups tend to take stewardship of the property seriously and value having private property to hunt or recreate. Working with the group, they will post the property if you wish and make it known to others that they have permission to hunt and trespassers do not. For absentee landowners, this is a good option. Working with a reputable group of local hunters means absentee landowners can have some assurance of who will be on the property.

There are many nuances to learn about trespass and property rights. The University of Maryland Extension publication *Landowner Liability and Recreation Access* (EB357) provides the information you need. Pages 11 through 16 provide specific details on trespass and property rights, rights of landowners versus recreationalists, prosecuting trespass, and frequently asked questions involving trespass prosecution. Other sections of the publication discuss landowner liability and recreational access, timber trespass, developing a hunting lease enterprise, sample leases, and more. The publication is available online at https://extension.umd.edu/resource/landowner-liability-and-recreational-access-eb-357.

Remembering a "Woods in Your Backyard" Founder

Dr. Jim Finley was one of three original authors of "The Woods In Your Backyard" (WIYB) guide, published in 2006 and revised in 2015. Since that time, "The Woods In Your Backyard" program has grown to be an effective multi-state, multi-organization partnership to address the challenge of managing small acreage woodland parcels. Jim was the Professor Emeritus of Private Forest Management and Human Dimensions and Natural Resources at Penn State. His recent passing was a great loss to the forestry community. His contribution to the original concept and WIYB guide cannot be overstated. The University of Maryland Extension Woodland Stewardship Education Program celebrates his life, dedication, legacy, and contribution to "The Woods In Your Backyard" program.

Kudos to the Woodland Stewardship Education Program

Recently, the University of Maryland Extension's Woodland Stewardship Education program was named as a 2021 Family Forests Education Award winner from the National Woodland Owners Association (NWOA) during the National Association of Forests Resources Programs (NAUFRP) General assembly. UME received the **Comprehensive Program Award** for programming with the most benefit to family forests over the past five years.

UME competed against six other challengers for the award. The award announcement from NWOA recognizes WSE's efforts to enable woodland owners to "make sound and informed decisions about managing their land by bringing forestry [and] wildlife ecology professionals [together] to simplify and demystify natural resource management."

One reviewer of the award nomination submitted by UME suggested that the materials that accompanied the nomination serve as a great example of what the types of outreach that can be accomplished through grants and collaboration.

Read the full announcement from NWOA here.

The NWOA/NAUFRP award followed additional recognition earlier this year from the Association of Natural Resources Extension Professionals (ANREP).

The Woods in Your Backyard Partnership, which includes WSE, Virginia Cooperative Extension, Alliance for the Chesapeake Bay, Penn State Extension, and the Virginia Dept. of Forestry, released "Woodland Health Practices Handbook" in late 2020.

Subtitled "A Practitioner's Guide for Creating, Enhancing and Maintaining Natural Areas," the 85-page full-color publication and associated "Woodland Assessment Checklist" received the **Bronze Award from ANREP in the "Long Publication" category**.

Read the full list of ANREP winners here.

Woodland Wildlife Spotlight: Fisher

Maryland is home to four members of the weasel family: mink, river otters, long-tailed weasels, and fishers. In the state, fishers are second only in size to river otters, but they occupy a distinctly different ecological niche. Of these four species, the fisher is perhaps the most elusive, due in part to its mostly nocturnal behavior, but once you have seen one, you won't confuse it with another species.

The fisher is actually a rather misunderstood species. When Europeans first observed this native North American species, it's possible that they believed it was related to the European polecat and gave it a similar name. (That was not uncommon; the American bison is popularly known as a "buffalo" because it resembled European buffaloes, but they are not scientifically related.) Although it's not known for sure, it's possible that the newly-observed species was called a "fitch" or "fiche," which has origins in both the Dutch and French terms for "polecat," and which over the years became "fisher cat" and, now, "fisher."

It's not a stretch of the imagination to surmise why "cat" was added to the name. The face of the fisher resembles some felines, and the overall size is not much different than many housecats. But the fisher is not a feline but a member of the mustelid family, which across the continent also includes badgers, wolverines and others.

But do fishers eat fish, as the name suggests? Generally no, as they are primarily carnivorous predators of small mammals such as squirrels, mice, and shrews, as well as frogs, birds, nuts, and fruit. The fisher is also one of the few predators that can successfully prey on porcupines. Instead of living near water as the name suggests, fishers prefer large tracts of coniferous or mixed hardwood-softwood forests that contain large trees. They can climb trees to hunt prey and their long and slender bodies allow them to fit into holes and burrows.

Another source of misinformation is the fisher's vocalizations. An internet search for phrases such as "fisher cat screams" yield a variety of shrieks. There are also claims that such sounds mean a fisher is about to attack its prey. However, experts believe that the noises humans hear are actually foxes (as documented in our Winter 2021 *Branching Out*). In fact, while fishers do make a variety of sounds, such as growls and hisses, they are generally silent predators.

Like many mammals, fishers are active year round, and like many North American woodland-dwelling species, their numbers were severely affected by habitat loss during the 18th and 19th centuries. They were also hunted for their fur. Their numbers have rebounded in many areas in the eastern parts of the continent as former farmlands have returned to woodland and existing woodlands have been protected. Fishers are now found throughout most of Canada, the northeastern U.S. as far south as Virginia and West Virginia, the northern midwest U.S. from the Great Lakes to Montana, as well as in some areas of the Northern Rockies and the Sierra Nevada mountains, where numbers are fewer. In some cases, such as in Maryland, fishers were re-introduced to their former range; they can now can be found much of the western part of the state where wide expanses of dense overstories provide fishers with rich hunting grounds and large trees for denning. The Maryland DNR categorizes their comeback as "tremendous."

Fisher Basics

Appearance: Dark brown-black coloration. Long body with short legs and bushy tail. Some have whitish patch on chest.

Size: Males generally up to 12 pounds and 36-40 inches in length. Females smaller (up to 8 lbs. and 30-36 in.)

Lifespan: Up to 10 years in the wild.

A fisher captured on a trail cam. Photo courtesy Massachusetts Audubon.

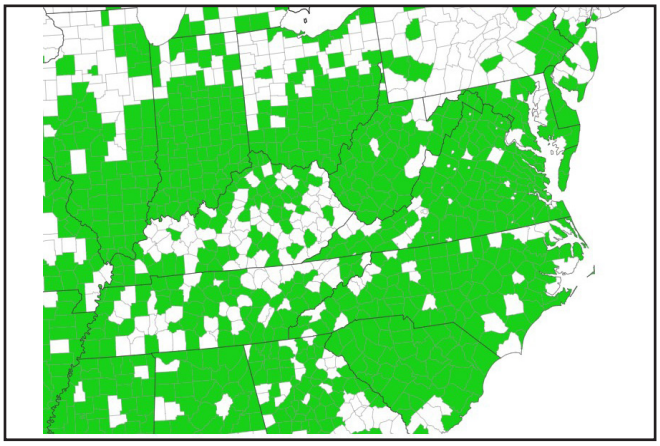
A fisher starts up a tree along the C&O Canal in Maryland. Trail cam photo courtesy National Park Service (photo by T. Serfass)

The fall is an important time for fishers. After spending the majority of the year alone, males and females mate in early spring (March to May) but the young are not born until 51 weeks later. The female will den in a hollow tree well above the ground and will give birth to 2-4 young in late February through March. The male plays no role in nurturing; the female will care for the young exclusively. Once summer arrives and the young are about four months old, the female teaches them how to hunt, and by fall they can venture off on their own in search of their own territory.

Locally, fishers have been sighted along the C&O Canal (see photo above), and reports in Frederick County lead some to believe that fishers may also be living in Cunningham Falls State Park and nearby Catoctin Mountain Park. The National Park Service is currently collecting to confirm their presence in the park. NPS biologist Becky Loncosky told the Frederick News-Post, "It's exciting to know there's something there that you haven't heard of or maybe even seen...they could be here and we just don't even know it."

Invasives in Your Woodland: Johnsongrass

Afforestation is the process of planting trees in formerly open space. Property owners or managers may choose afforestation for a variety of areas, such as expanses of lawn or former agricultural lands that they want to turn into woodland. Because trees take time to mature, it is important to ensure that the seedlings have sufficient light and nutrients to grow. This often involves controlling growth of other species within the planting area, including invasive species such as the distinctive Johnsongrass. And once established in an area, Johnsongrass can out-compete many other species for nutrients and over-top them to rob them of sunlight.



Johnsongrass county distribution map. Courtesy eddmaps.org

What is it?

Johnsongrass (*Sorghum halepense*) is one of the few invasive plant species in North America that is native to the Mediterranean region of Asia and northern Africa. It was named after Col. William Johnson, who sowed its seeds in his Alabama plantation in the mid-19th century. By that time, it was already established in several states, where it was both accidently introduced as seedlot contamination or deliberately planted as an experimental forage. Since that time, the species has spread throughout much of the United States; only Maine, Minnesota, and Alaska report no sightings of it. In the mid-Atlantic area, it is found throughout Delaware and all but four counties in West Virginia; in southeastern Pennsylvania and other areas; in most of Virginia; and throughout Maryland with the exception of Garrett, Allegany, Carroll, and Charles County, and areas of the eastern shore of the Chesapeake Bay. It is characterized as a noxious weed in Maryland. See the distribution map above.

Johnsongrass plant with distinctive "Christmas tree" shaped flowering. Photo by Steve Dewey, Utah State University, bugwood.org

How does it spread?

Johnsongrass is a colonial plant that is found in disturbed areas, such as new plantings and roadsides, as well as abandoned agricultural areas, and it prefers open ground with rich, moist soil. The grass spreads primarily by fast-growing rhizomes. A single plant can produce over 200 feet of rhizomes in a single season. It forms dense mats in which the thickets are connected to each other. It can also spread via seeds that are transported by water, birds, or other animals. The seeds can remain viable in the soil for several years.

How can I identify it?

As a young plant, Johnsongrass resembles other plants, including young corn. But corn quickly grows wider leaves and becomes easier to distinguish from Johnsongrass. The invasive plant has pale yellow-green leaves that can grow from 6 to 20 inches long and are up to 1.5 inches wide, with a distinctive white vein running down the middle. As the plant matures, it can easily overtop surrounding grasses, growing up to 7 feet tall. One of its most distintctive features is the erect flowering head, which appears in summer and fall. A single shoot grows up from the cluster of leaves and displays flowers clustered on short branches, resembling the profile of a cartoon Christmas tree. The seed head's brownish color also helps identify the plant.

See the photo gallery on the next page.

How can I control it?

Control of Johnsongrass, once established in an area, is a long-term process. Because of the connected nature of its colonial mats, and because of the extended viability of its seeds in the soil, repeated control efforts will likely be necessary.

Mowing can control Johnsongrass, but it will require repeated mowing over several years, depending on how old the thicket is and how much root reserves exist. Cattle also will graze on Johnsongrass, but this is generally effective only on larger properties.

Herbicides such as glyphosate have been found to be effective against Johnsongrass, but the same caveat applies: repeated treatment may be necessary to control or remove it from the area.

For more information:

Learn more about Johnsongrass:

Johnsongrass - USDA National Invasive Species Information Center
Grasses: Johnsongrass - USDA Forest Service
Johnsongrass - Maryland Biodiversity Project

Image Gallery: Johnsongrass

Johnsongrass plants. Photo by Chris Evans, University of Illinois, Bugwood.org

Johnsongrass invading woodland understory. Photo by Nancy Loewenstein, Auburn University, Bugwood.org

Johnsongrass in an edge environment. Photo by Karan A. Rawlins, University of Georgia, Bugwood.org

Johnsongrass leaves in winter, Talbot County MD. Photo by Bill Hubick, Maryland Biodiversity Project.

News and Notes

Get Caught Up on your Woodland Wildlife Wednesdays!

It's been an eventful last few months for our Woodland Wildlife Wednesday webinar series. If you haven't joined us this fall, you missed out on a lot of great information and discussion.

The September webinar featured Jake McPherson and Chase Colmorgen of Ducks Unlimited. Their "Ecology and Management of the Wood Duck" covered the species' needs and ways that interested individuals can help preserve wood duck habitat, including available cost share programs.

In October, Matt Whitbeck from the U.S. Fish & Wildlife Service's Chesapeake Marshlands Refuge Complex, discussed "Sea Level Rise, Ghost Forests, and the Future of Blackwater National Wildlife Refuge," which touched on how Maryland's coastlands are changing and potential ways forward.

The final webinar of the year was the "Maryland Forest Pest Update" for 2021. Heather Disque, of the Dept. of Agriculture/Forest Pest Management, shared updates on spotted lanternfly, emerald ash borer, and much more.

Find these and much more on our website.

One Way to Deal with Spotted Lanternfly

Temple University's Interactive Ecology lab's YouTube page offers a way to remove spotted lanternfly adults without having to touch them and without chemicals. All you need is an empty water bottle. This hack takes advantage of the species, which despite its colorful wings, does not fly well, but instead leaps away from predators. Watch this water bottle hack here.

New Business Directory Online

As was mentioned in our last issue of *Branching Out*, the Woodland Stewardship Education program was planning a new directory to connect landowners with businesses that provide services to create, enhance, and maintain natural areas on private properties across Maryland. The Natural Area Management Services Providers Directory is now online and provides information on over a dozen categories of services. Landowners can choose from such categories as tree planting, invasive plant and vine control, and enhancing privacy and aesthetics. Businesses are also listed alphabetically.

To have your business listed, please visit https://go.umd.edu/GSP-directory and complete the form found at the "Submission Form" button. Each submission will be reviewed before being included in the directory.

Please note that the mention of, the visual representation, or the referred reference to a service or organization in this directory does not imply endorsement by the author or any of the partners. The exclusion does not imply a negative evaluation. Descriptions are provided by the supplier, and not verified or monitored by the University of Maryland Extension.

Maryland State Forest Tree Nursery Now Open for Orders

The John S. Ayton State Forest Tree Nursery is now open and accepting orders for the spring 2022 planting season. This year's seedling selection catalog features more than 50 species, with a few different choices from last year. The nursery provides an excellent option for property owners wishing to plant native species on their property as part of a conservation project, for eventual lumber harvesting, and/or for cut Christmas tree purposes. For more information, visit the nursery's website at https://nursery.dnr.maryland.gov/default.asp

Forest Pests:
Southern Pine Beetle (*Dendroctonus frontalis*)

Agnes Kedmenecz
Woodland Stewardship Education Program - Wye Research & Education Center

Disturbance plays a role in the ecology of the forest ecosystem. Fire, whether natural or manmade, creates early successional habitat leading to a climax community. Other disturbances like wind events, landslides, tree falls and pests act in the same way. These events allow forests to remain dynamic and provide habitat for many woodland flora and fauna. Native species have adapted to these disturbances, including the focus of this article: the Southern Pine Beetle (SPB).

Southern pine beetle. Photo by Erich G. Vallery, USDA Forest Service - SRS-4552, Bugwood.org

SPB is native to Maryland and the southeastern United States. Since the earliest recorded outbreaks in the 18th century, it has led to widespread destruction. These periodical, concentrated outbreaks can come on fast, decimating pine forests. The disturbances are the result of sheer numbers of beetles, its life cycle, and the particular forest conditions. The SPB's trees of choice are yellow pines such as the loblolly, Virginia, and pitch pines, as well as longleaf pines and slash pines. The average yearly tree mortality in the U.S. can surpass 30 million cubic feet of pulpwood and 100 million board feet of sawtimber. From 1999 to 2002, outbreaks in the eastern U.S. caused approximately $1 billion in timber losses.

With those numbers, one would think this pine beetle must be huge. In fact, they are very tiny, only 3 mm in length. This aggressive little insect lives mainly in the inner bark of the pines. Entry holes in the bark and, often, resinous masses on the bark called "pitch tubes," are signs that SPB are present. The female pine beetle's pheromones and the smell of resin from the trees attracts males. The beetles mate and create S-shaped galleries under the bark to deposit their eggs. The larvae then feed on inner phloem of the tree. Entering the pupae stage, larvae tunnel to the outer bark. The immature adults emerge and their bodies harden and darken. Finally, the beetles create an exit tunnel through the outer bark and fly to another tree to continue the attack.

As the female SPB travels within the pine tree, she leaves behind a blue-stain fungus. This fungus grows in the sapwood and provides food for the developing larvae. This fungus also blocks the circulatory system of the tree, thus hastening the tree's demise.

Management of this native beetle consists of a variety of elements. Forest managers use integrated pest management to reduce SPB population, frequency, duration, and impacts. First, managers assess a forest stand's susceptibility across large landscapes. By understanding how vulnerable the trees are, land managers can work effectively in minimizing the damage. These assessments are made using aerial and on foot detection surveys. These surveys look for host pine species, the quality of the sites, the age structure of the forest stand, basal area or stem density, growth rates, and proportion of pine in the overstory.

With this information, managers can choose from a variety of management practices to reduce SPB's impacts, such as salvage cut, cut & leave, pile & burn, cut & chemically treat. These are followed by suppression efforts, which rely primarily on the removal of infested and nearby trees. Manager create a tree buffer in front of infestations during the growing season by removing uninfected trees ahead of the SPB's predicted trajectory. This creates a gap between the infected trees and the uninfected trees that are in the beetles' path. This inhibits the scent of the trees and any other chemical messages that the beetle may have sent out. Disrupting pheromone signals can help confuse SPBs and suppress population growth. Lastly, the land manager may consider restoring pine stands. Restoration efforts include planting less susceptible species, such as longleaf pine.

Pitch tubes indicating attack of adult SPB. Photo by Ronald F. Billings, Texas A&M Forest Service, Bugwood.org

The Maryland DNR Forest Service monitors many forest pests, including SPB. Current assessments note that counties in Southern Maryland and along the southern Eastern Shore are at some risk of southern pine beetle outbreaks. In order to assess this risk, DNR staff survey loblolly forests in these counties during a six-week period in the spring for SPB.

In the meantime, landowners and managers, and those who enjoy woodlands, can be on the lookout for signs of SPB. Look for vulnerable pines, pitch tubes and blue stain in the pines you harvest. If you do suspect a Southern Pine beetle presence, contact the Maryland Department of Agriculture's Forest Pest Management Section at fpm.mda@maryland.gov, or call 410-841-5870.

This issue's Brain Tickler...

Last issue we asked you an historical question. Congratulations to Catherine Shelton for correctly answering that the U. S. Forest Service was created during Theodore Roosevelt's presidency.

For this issue, consider the photo at left. This nut comes from a native Maryland tree, often found in upland areas of the state. Please identify the tree and its variety for full credit.

Email Andrew Kling at akling1@umd.edu with your answer.

Photo courtesy Ellen Powell, VDOF

Events Calendar

December 8, 2021, 3:30 - 5:00 pm
Women's Forest Congress
Online
Hear stories from organizations who share values and are raising the profile of gender equity in the broader forest, conservation, and recreation spaces. Participants can also join "book club" style networking discussions.

Registration is free but limited to the first 300 individuals who register. Go to this Zoom link to register.

January 11-13, 2022
Mapping with Small Unmanned Aircraft Systems (Drones)
Online
This three-day intensive "drone boot camp" is offered through Virginia Tech and is designed for Extension agents / specialists, Private industry, Natural resource professionals, Planning professionals, Local/State government employees, Public safety professionals, Agricultural operators, and more who want to learn how to use drones for mapping, natural resource management, and much more. No previous experience is required. Registration closes December 11, 2021 and space is limited. For more information and to register, visit https://virginiaview.cnre.vt.edu/workshops-events/.

March 8-10, 2022
BeaverCON 2022 - Building Climate Resilience: A Nature-Based Approach
Delta Hotel, Hunt Valley MD
BeaverCON 2022 is a biennial, three-day, international, conference for restoration professionals, researchers, and practitioners to learn what works in nature-based approaches to tackling the most pressing environmental challenges of our time: flooding, drought, fire, and water quality, as well as cutting edge approaches to beaver conflict management and leveraging beaver for watershed restoration efforts. To learn more and to register, visit https://www.beavercon.org/

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