

TIMBER HARVESTING RULES

PURPOSE

The Town of Catlin encourages the responsible use of timber as a renewable resource. This section applies to **timber harvesting** operations within the Town of Catlin, and is intended to protect the landowner, the **timber harvester**, and the public.

DEFINITIONS

**“Best Management Practices During Timber Harvesting Operations”**: Refers to a publication produced by the Chemung County Soil and Conservation District in 1997, or its’ successor document.

**Board Foot**: A measure of lumber 12” X 12” X 1”

**Clear Cut**: Any **timber harvesting** operation where all **timber** larger than four (4) inches in diameter is harvested.

**Code Enforcement Officer**: An official designated by the Town Board for the purpose of enforcing codes, laws, ordinances, and conditions set by Planning Board or Zoning Board of Appeals resolutions.

**Commercial Harvesting**: **Harvesting** for profit or payment.

**Curb Cut**: Any opening either temporary or permanent of a new road, driveway, or laneway onto a public road.

**Erosion Control Plan**: A compilation of maps and documents demonstrating steps to be taken to prevent the erosion of soil on and from a property during and after **timber harvesting** operations.

**Harvester:** A Person who works harvesting timber.

**Harvesting:** Any cutting of trees for timber, lumber, or firewood.

**Property:** Privately or publicly owned land within the Town of Catlin.

**Public Road:** Any road or highway which is publicly or privately owned or maintained and which is accessed and regularly used by the public.

**Stream:** Any river, stream or naturally occurring channel of water or any man-made culvert which flows directly into one of the aforementioned.

**Timber or Timber Products:** Trees cut from the stump for any use.

## RULES

- I. No Permit or Registration for harvesting is required for the following:
  - A. **Harvesting of timber or timber products** by the owner or resident of any **property** for use by that owner or resident, or
  - B. The commercial **harvesting** and removal from any **property** of not more than three (3) ten wheel or tri-axle loads, or not more that two (2) tractor trailer loads, of **timber** or **timber products**.
  - C. **Clear cutting** of less than 1 acre.
  - D. If a **stream** is crossed then the **property** owner or owners agent should consult with the

Crossing Permit will be required.

E. If a new curb cut is made then the Town of Catlin Highway Superintendent shall be consulted (for proper permits).

II. Registration by the owner of any property will be required when the limits of part I of this section are exceeded or anticipated to be exceeded, but not more than 8 ten wheel or tri-axle loads, or 5 tractor trailer loads, or when any property exceeding 1 acre is clear cut. Such Registration shall be filed with the **Code Enforcement Officer**.

A. Registration fee to be set by Town Board Resolution

B. A completed registration document shall contain the following information and shall be effective for 1 year from the date on the registration:

1. The date of registration.
2. A control number issued by the **Code Enforcement Officer**.
3. Name, address, and phone number of the **property owner**.
4. Name, address, and phone number of the owner's agent if any.
5. Name, address, and phone number of the **harvester**.
6. Address and tax map identification number of the **property to be harvested**.  
Also attach a sketch map of the area and **property to be harvested**.
7. **Harvesting** information to include, number of board feet to be **harvested**, number of acres to be **harvested**, and will **clear cutting** occur.
8. Date of completed SEQR, if required.
9. The estimated date that the **harvesting** is to commence.
10. Has the Catlin Highway Superintendent been contacted?
11. Date that new curb cut issued.
12. The state, county, and local roads within the Town of Catlin that are expected to

13. Estimated date that the **harvesting** operation is to be completed.

14. The signature of the property owner and the date signed.

15. The signature of the harvester and the date signed.

C. The **harvester** shall submit to the Code Enforcement Officer proof of not less than five hundred thousand dollars (\$500,000) of general aggregate liability insurance. The **harvester** shall also show proof of Workman's Compensation and Disability Insurance if required by law.

D. A copy of the Chemung County Soil & Water Conservation District publication "**Best Management Practices During Timber Harvesting Operations**" will be given to the property owner with a recommendation that the "**Best Management Practices**" be followed. Chemung County Soil & Water Conservation District or the **Code Enforcement Officer** may be contacted for advice.

E. If damage due to runoff, or depositing of mud or debris on any **public road** occurs, the **timber harvesting** operation shall stop and the requirements of Part III of this section shall apply.

F. No **harvesting** of **timber** pursuant to this Part shall commence prior to the filing of a completed registration.

G. The **property owner** or the owner's agent shall notify the **Code Enforcement Officer** when the **harvesting** is complete.

III. A revocable permit shall be required when the limits of Part II of this ordinance are exceeded, or when any property exceeding 1 acre is **clear cut**. In addition to the provisions of Part II, the following conditions shall apply:

- A. Registration fee to be set by Town Board Resolution
- B. An erosion control plan shall be developed and filed with the application for a permit. The erosion control plan will be reviewed by the Code Enforcement Officer using the "Best Management Practices" contained within the Chemung County Soil & Water Conservation District's publication "Best Management Practices During Timber Harvesting Operations" as a reference.
- C. Security Deposit
1. In order to ensure compliance with this Local Law the Town shall require a security for performance, from the property owner, in a form satisfactory to the Town Clerk. The amount shall be determined at \$50.00 per acre to be harvested, with a \$1,000.00 minimum and a \$5,000.00 maximum.
  2. Upon expiration of the revocable permit, unless extended, or notification that harvesting is complete, the Code Enforcement Officer shall inspect the harvested property to ensure that the Erosion Control Plan has been followed. The Code Enforcement Officer may ask for assistance from the Town Highway Superintendent and or the Chemung County Soil and Water District Office. A written report shall be made stating that the Erosion Control Plan has been complied with or deficiencies noted that need to be corrected. If compliance is complete, the Town Clerk shall be notified to return the security within 10 days of notification that harvesting is complete. If the Erosion Control Plan has not been complied with satisfactorily, an estimate of the cost to comply shall be delivered to the property owner who shall be given 10 days to make the noted corrections. If the corrections are not made to the satisfaction of the Code Enforcement Officer within 10 days, then the Town shall arrange to complete such noted work and deduct that cost from the security. Any monies left over shall then be returned within 10 days of completion of the work.

Enforcement Officer has accepted the erosion control plan and issued a permit, and shall not continue after a permit has been revoked.

E. Any damage due to, runoff or depositing of mud or debris on any public road or in a stream shall cause a revocation of the permit, and shall cause all harvesting to stop.

#### IV Penalties

Any person violating any provisions of this local law shall be guilty of an offense and upon conviction thereof shall be punishable by a fine not exceeding Two Hundred Fifty (250.00) Dollars, or by imprisonment for not more than fifteen (15) days, or by both fine and imprisonment. Each day the violation continues shall be deemed to be a separate and distinct violation.

TOWN OF CATLIN  
HARVESTING REGISTRATION  
As required by  
Section II of Local Law # \_\_\_ of 200\_

IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OR THE PROPERTY OWNER'S AGENT OR HARVESTER TO SECURE ALL PERMITS, WHICH MAY BE REQUIRED BY NYSDEC, NYSDOT, COUNTY DOT, TOWN OR OTHER AGENCIES OF JURISDICTION.

1. Date of Registration: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_
  
2. Control number issued by Code Enforcement Officer \_\_\_\_\_
  
3. Property Owner:  
    Name: \_\_\_\_\_  
    Mailing Address: \_\_\_\_\_  
    Telephone Number: \_\_\_\_\_
  
4. Owner's Agent:  
    Name: \_\_\_\_\_  
    Mailing Address: \_\_\_\_\_  
    Telephone Number: \_\_\_\_\_
  
5. Harvester:  
    Name: \_\_\_\_\_  
    Mailing Address: \_\_\_\_\_  
    Telephone Number: \_\_\_\_\_
  
6. PROPERTY to be HARVESTED:  
    PROPERTY Address: \_\_\_\_\_  
    Tax map Number: \_\_\_\_\_

Harvesting information.

Number of board feet to be harvested \_\_\_\_\_  
Number of acres to be harvested \_\_\_\_\_  
(If 10 or more acres are harvested a SEQR is required)  
Will clear cutting occur \_\_\_\_\_  
(If clear cutting will occur a SEQR is required)

8. Date of completed SEQR if required: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

9. Estimated date HARVESTING is to commence: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

10. Has Catlin Highway Superintendent been contacted: \_\_\_\_\_

11. Date that new curb cut issued: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

12. State, County, and Town roads in the Town of Catlin to be used for transport:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Proof of general aggregate liability insurance submitted: \_\_\_\_\_

14. Proof of workmen's compensation and Disability Insurance submitted,  
if required by law: \_\_\_\_\_

15. "Best Management Practices During Timber Harvesting Operations"  
given to PROPERTY owner: \_\_\_\_\_

16. Estimated date HARVESTING is to be completed: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

\_\_\_\_\_  
Property Owner's or Agent's Signature \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Date

\_\_\_\_\_  
Logger's Signature \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Date



\_\_\_\_\_  
Code Enforcement Officer's Signature

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

17. Date of completion of HARVESTING:

\_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_  
Code Enforcement Officer's Signature

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

**REVOCABLE PERMIT**  
As required by  
Section III of Local Law # \_\_\_\_\_ of 200\_

- 1. Date of completed **Harvesting** Registration \_\_\_/\_\_\_/\_\_\_
- 2. Control number form associated **Harvesting** Registration \_\_\_\_\_
- 3. Date that permit fee was collected \_\_\_/\_\_\_/\_\_\_
- 4. **Date that Erosion Control Plan** was accepted as complete \_\_\_/\_\_\_/\_\_\_
- 5. Amount of Security for performance required  
Attach receipt from Town Clerk \_\_\_\_\_
- 6. Date that this permit is issued \_\_\_/\_\_\_/\_\_\_
- 7. Date that this permit shall expire \_\_\_/\_\_\_/\_\_\_

\_\_\_\_\_  
**Code Enforcement Officer's Signature**

\_\_\_/\_\_\_/\_\_\_  
**Date**

- 8. Date that this permit is revoked \_\_\_/\_\_\_/\_\_\_

9. Reason for revocation in item 6:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 10. Inspection date for compliance with **Erosion Control Plan** \_\_\_/\_\_\_/\_\_\_

11. Result of inspection Satisfactory/Unsatisfactory

12. Reasons for the unsatisfactory inspection and estimated cost for the Town to make the indicated corrections:

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\_\_\_\_\_

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13. Date Town Clerk advised to return security for performance       /   /   

14. Amount of security for performance to be returned   

\_\_\_\_\_  
**Code Enforcement Officer's Signature**

   /   /     
**Date**

TOWN OF CATLIN  
SOIL EROSION AND SEDIMENTATION CONTROL PLAN  
FOR A TIMBER HARVESTING OPERATION

As required by  
Section III of Local Law # \_\_\_\_\_ of 200\_

1) GENERAL INFORMATION

A. Control number from registration: \_\_\_\_\_

B. Timber sale area: \_\_\_\_\_

\_\_\_\_\_ acres

C. Person(s) responsible for construction and maintenance of earthmoving operations and sedimentation controls:

Name(s) \_\_\_\_\_

Address: \_\_\_\_\_

Phone number(s): \_\_\_\_\_

Signature(s) of person(s) responsible

D. Location and parcel number(s) of harvest area

Telephone number(s): \_\_\_\_\_

Signature of person(s) responsible for the harvest and harvesting plan:

Signature of landowner: \_\_\_\_\_

- 2) Have you obtained a copy of "BEST MANAGEMENT PRACTICES DURING TIMBER HARVESTING OPERATIONS"? \_\_\_\_\_ (yes/no)  
If no, contact the Catlin Town Clerk or Chemung County Soil and Water for a copy.

3) Will this harvesting project disturb more than 1 acre of soil? (yes/no)  
If yes, contact NYSDEC at (716) 226-2466 to determine if a permit is required.  
If a permit is required attach a copy to this plan.

4) Will there be any stream crossings? (yes/no)  
If yes, contact NYSDEC at (716) 226-2466 to determine if a permit is required.  
If a permit is required attach a copy to this plan.

5) Map and Plan of the Harvest area (See attached example)  
A) Sketch map of the harvest area must include the following  
i) North arrow, scale, and key.  
ii) Parcel and harvest area boundaries.  
iii) Any and all curb cuts and names of roads they enter.  
iv) Skid trail lay out  
v) Streams, wetlands, ponds, power lines and gas lines.  
vi) Placements of culverts or other stream crossing devices if applicable.  
vii) Location of any and all log landings.

B) Topographic map showing the boundaries of the parcel(s) and harvest area(s)

6) Both the Timber harvester or their representative and the Town of Catlin official (code enforcement) must visit the site prior to commencement of timber harvesting.  
Date of site visit: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

7) What if any "Best Management Practices" do you plan to use to retire the project to prevent erosion problems in the future?

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8) Acceptance by Code Enforcement Officer  
\_\_\_\_\_  
Signature of Catlin Code Enforcement Officer

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Date

Figure 22. Typical Map Symbols

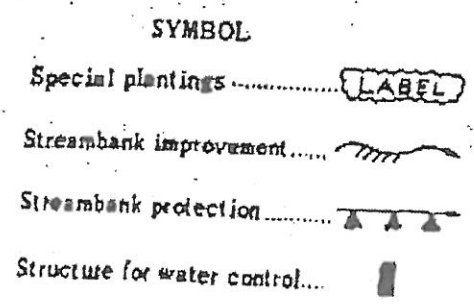
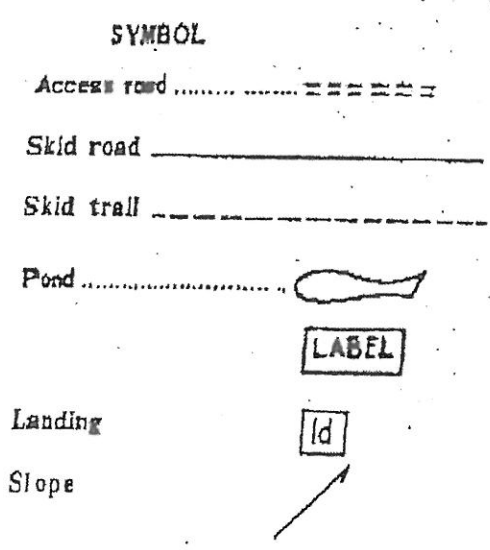
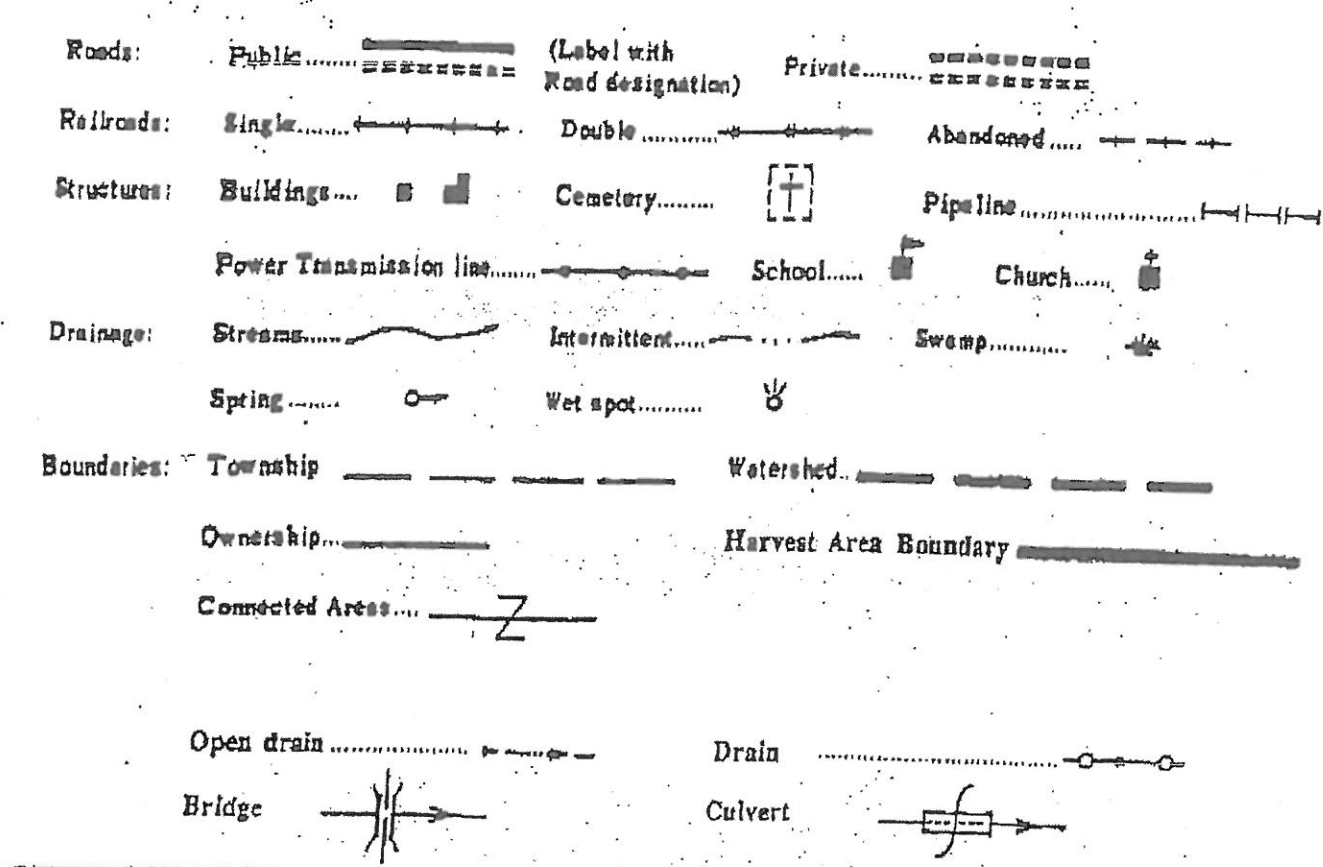


Figure 24. Alternative Map for Soil Erosion and Sedimentation Control Plan

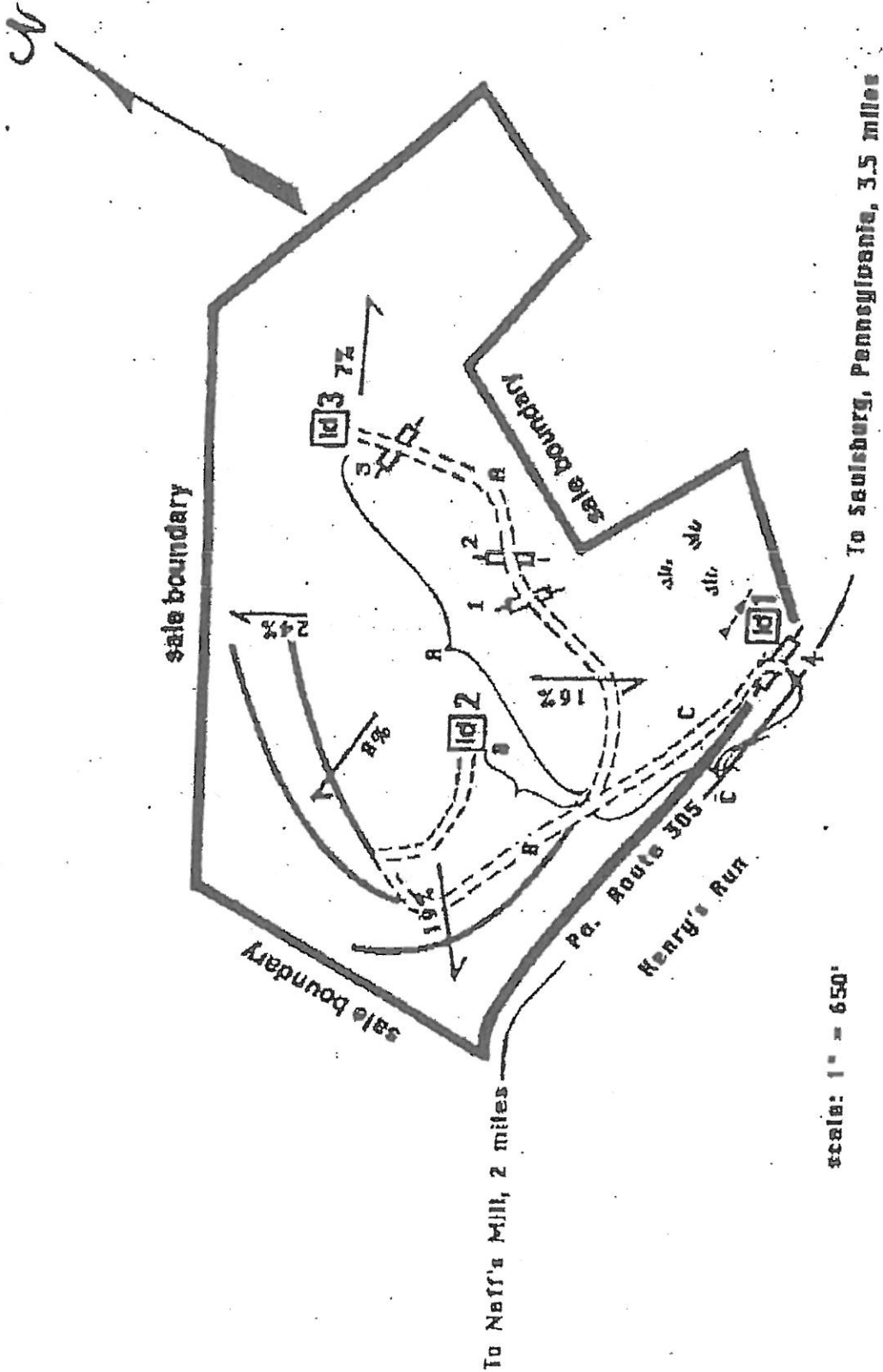
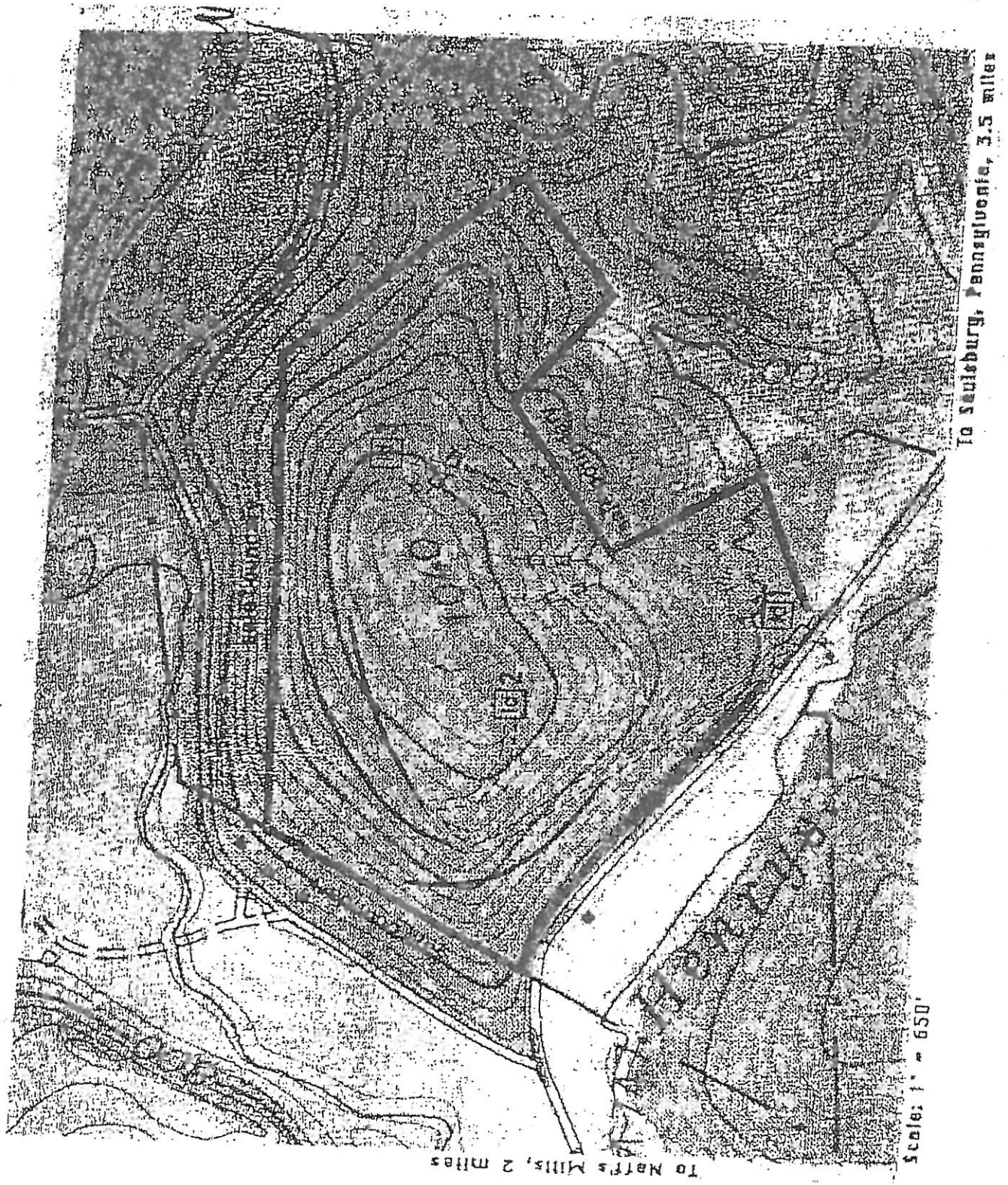


Figure 23. Map for Soil Erosion and Sedimentation Control Plan





# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: _____		Date: _____
Signature: _____		