TOWN OF SOUTHPORT TIMBER HARVESTING REGISTRATION

| Property Owner: | |
|---|-----------------------------|
| Mailing Address: | |
| Phone: | (cell) |
| Name of Agent: | |
| Mailing Address: | |
| Phone: | (cell) |
| Name of Logger: | |
| Mailing Address: | |
| - | (cell) |
| A. Logger MUST provide the following insurance documents Liability Insurance not less than \$500,000. Workers Compensation Insurance on form C 105.2 Disability Insurance on form DB 120.1 or DB-155 if S Or Exemption waiver form CE-200 from www.wcb.ny | elf Insured |
| B. Complete Part I of the State Environmental Assessment Fo | orm (SEQR). |
| C. Pay Registration fee. | |
| D. Logging location address: Tax Map ID: Date logging begins: | |
| E. List State, County or Town roads used to transport: | |
| F. Answer <u>YES or NO</u> questions 1 thru 6. 1. Removal of 3 but <u>not more</u> than 8 ten-wheel or tri-axle 2. Removal of up to 2 but <u>not more</u> than 5 tractor trailer lo 3. "Clear cutting" exceeding 5 acres but <u>not more</u> than 10 If <u>YES</u> to <u>any or all</u> of questions 4 thru 6, then you <u>must</u> con 4. Removal of <u>more</u> than 8 ten wheel or tri-axle loads 5. Removal of <u>more</u> than 5 tractor trailer loads 6. "Clear cutting" <u>more</u> than 10 acres | oads |
| G. Inform Town Highway Superintendent at (607) 733-5467 b | efore starting any logging. |
| It shall be the responsibility of the property owner or the property be required by NYSDEC, NYSDOT, Chemung County DOT, copy of the Town Timber Harvesting Rules and will comply. | |
| Signature Owner or Agent | Date: |
| Signature Logger | Date: |
| Code Enforcement Officer or Permit Clerk | Date: |

A provision of laws and ordinances will be complied with whether specified or not regarding this ordinance. The information specified does not presume to give authority to violate or cancel provisions of any other law or local law regulating this type of ordinance. Revised 2023

1. WORKERS' COMPENSATION REQUIREMENTS UNDER WORKERS' COMPENSATION LAW §57

To comply with coverage provisions of the Workers' Compensation Law ("WCL"), businesses must:

- A) be legally exempt from obtaining workers' compensation insurance coverage; or
- B) obtain such coverage from insurance carriers; or
- C) be a Board-approved self-insured employer or participate in an authorized group self-insurance plan.

To assist State and municipal entities in enforcing WCL Section 57, <u>businesses</u> requesting permits or seeking to enter into contracts <u>MUST</u> provide ONE of the following forms to the government entity issuing the permit or entering into a contract:

A) <u>CE-200</u>, Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage; Starting December 1, 2008, Form CE-200 can be filled out electronically on the Board's website, <u>www.wcb.ny.gov</u>, under the heading "Forms." Applicants filing electronically are able to print a finished Form CE-200 immediately upon, completion of the electronic application. Applicants without access to a computer may obtain a paper application for the CE-200 by writing or visiting the Customer Service Center at any District Office of the Workers' Compensation Board. Applicants using the manual process may wait up to four weeks before receiving a CE-200. Once the applicant receives the CE-200, the applicant can then submit that CE-200 to the government agency from which he/she is getting the permit, license or contract. **OR**

B) <u>C-105.2 (9/07)</u> - Certificate of Workers' Compensation Insurance (the business's insurance carrier will send this form to the government entity upon request) **PLEASE NOTE**: The State Insurance Fund provides its own version of this form, the U-26.3; **OR**

C) <u>SI-12</u> -- Certificate of Workers' Compensation Self-Insurance (the business calls the Board's Self-Insurance Office at 518-402-0247), **OR** GSI-105.2 -- Certificate of Participation in Worker's Compensation Group Self-Insurance (the business's Group Self-Insurance Administrator will send this form to the government entity upon request).

2. DISABILITY BENEFITS REQUIREMENTS UNDER WORKERS' COMPENSATION LAW §220(8)

To comply with coverage provisions of the WCL regarding disability benefits, businesses may:

- A) be legally exempt from obtaining disability benefits insurance coverage; or
- B) obtain such coverage from insurance carriers; or
- C) be a Board-approved self-insured employer.

Accordingly, to assist State and municipal entities in enforcing WCL Section 220(8), <u>businesses</u> requesting permits or seeking to enter into contracts <u>MUST provide</u> ONE of the following forms to the entity issuing the permit or entering into a contract:

A) <u>CE-200</u>, Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage Starting December 1, 2008, Form CE-200 can be filled out electronically on the Board's website, <u>www.wcb.ny.gov</u>, under the heading "Forms." Applicants filing electronically are able to print a finished Form CE-200 immediately upon, completion of the electronic application. Applicants without access to a computer may obtain a paper application for the CE-200 by writing or visiting the Customer Service Center at any District Office of the Workers' Compensation Board. Applicants using the manual process may wait up to four weeks before receiving a CE-200. Once the applicant receives the CE-200, the applicant can then submit that CE-200 to the government agency from which he/she is getting the permit, license or contract. **OR**

B) <u>DB-120.1</u> -- Certificate of Disability Benefits Insurance (the business's insurance carrier will send this form to the government entity upon request); **OR**

C) <u>DB-155</u> -- Certificate of Disability Benefits Self-Insurance (the business calls the Board's Self-Insurance Office at 518-402-0247).

Please note that <u>for building permits ONLY</u>, certain homeowners of 1, 2, 3 or 4 family owner-occupied residences serving as their own General Contractor may be eligible to file a CE-200 at <u>www.wcb.ny.gov</u>

3. <u>TOWN OF SOUTHPORT</u> 1139 Penn. Ave., Elmira, NY 14904 must be listed as certificate holder on all forms. (607) 737-5267 fax (607) 737-5268 email: <u>mmurray@townofsouthport.com</u>

TOWN OF SOUTHPORT TIMBER HARVESTING RULES CHAPTER 483 TIMBER HARVESTING

PURPOSE:

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

DEFINITIONS:

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

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

Commercial Harvesting: Harvesting for profit or payment

Curb Cut: Any opening of a new road, driveway, or laneway onto a public roadway.

Property: Privately or publicly owned land within the Town of Southport

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

Stream: Any stream, creek, river, or other flowing body of water.

Clear Cut: Any timber harvesting operation where all timber larger that four inches in diameter is harvested

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

Code Enforcement Officer: The official designated by the Town Board to enforce the provisions of this Chapter.

"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.

RULES:

- A. Unless a stream is crossed or a new curb cut is made, no Permit or Registration is required for the following:
 - 1. Harvesting of timber or timber products by the owner or resident of any property for use by that owner or resident, or
 - 2. The commercial harvesting and removal from any property of not more than three ten wheel or tri-axle loads, or not more than two tractor trailer loads, of timber or timber products per 100 acres of land per calendar year.
- B. Registration by the owner of any property will be required when the limits of part "A" 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, are removed per 100 acres of property, or when any property exceeding 5 acres is "clear cut". Such Registration shall be filed with the Code Enforcement Officer
 - 1. Permit fee: a permit fee as set by resolution of the Town Board.
 - 2. A completed registration document shall contain the following information:
 - a. Name, address, and phone number of the property owner
 - b. Name, address, and phone number of the owner's agent, if any
 - c. Name, address, and phone number of the logger
 - d. Address and tax map identification number of the property to be harvested
 - e. The date of registration
 - f. The approximate date that the harvesting is to commence
 - g. The approximate date that the harvesting operation is to be completed
 - h. The state, county, and local roads within the Town of Southport that are expected to be used to transport harvested timber from the logging site to market
 - i. The signature of the property owner and the date signed
 - j. The signature of the logger and the date signed
 - The logger shall submit to the Code Enforcement Officer proof of insurance: Liability insurance not less than \$500,000.
 Workers Compensation Insurance on form C105.2
 Disability Insurance on form DB120.1 or DB155 if self insured.
 CE-200 if you do not have employees www.wcb.ny.gov
 - 4. 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 Soil & Water Conservation District and the Code Enforcement Officer be contacted for advice.

- 5. If damage to adjacent property, runoff, or depositing a significant or measurable amount of mud or debris on any public roadway occurs, the timber harvesting operation shall stop and the requirements of Part "C" of this section shall apply.
- 6. No harvesting of timber pursuant to this Part shall commence prior to the filing of a completed registration.
- 7. The property owner or the owner's agent shall notify the Code Enforcement Officer when the harvesting is complete.
- C. A revocable permit shall be required when the limits of part "B" of this section are exceeded, or when any property exceeding ten acres is "clear cut". In addition to the provisions of Part "B", the following conditions shall apply:
 - 1. 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 and Water Conservation District's publication "Best Management Practices during Timber Harvesting Operations" as a reference.
 - 2. The harvesting of timber pursuant to this part shall not commence until the Code Enforcement Officer has approved the erosion control plan and issued a permit, and may not continue after a permit has been revoked.
 - 3. Any deviation from the erosion control plan, or any damage to adjacent property, runoff, or depositing of mud or debris on any public roadway or in a stream shall cause a revocation of the permit, and will cause all harvesting to stop. The permit may be re-issued by the Code Enforcement Officer after a resolution of the problem causing the revocation of the permit and the adjudication of any related enforcement action.

§483-4. Penalties for offenses.

This chapter shall be enforceable pursuant to the provisions of Chapter 1, General Provisions, Article III, General Penalty, of the Code of the Town of Southport.

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 ma | ıp): | | | | | |
| Brief Description of Proposed Action: | | | | | | |
| Name of Applicant or Sponsor: | | | Telephone: | | | |
| | | | E-Mail: | | | |
| Address: | | | | | | |
| City/PO: | | | State: | Zip C | Code: | |
| 1. Does the proposed action only involve the legis administrative rule, or regulation? | slative adoption of | f a plan, local | l law, ordinance, | | NO | YES |
| If Yes, attach a narrative description of the intent of may be affected in the municipality and proceed to l | | | | that | | |
| 2. Does the proposed action require a permit, appr If Yes, list agency(s) name and permit or approval: | roval or funding fi | rom any othe | r government Agency? | | NO | YES |
| | | | | | | |
| 3. a. Total acreage of the site of the proposed action? | | | | | | |
| 4. Check all land uses that occur on, are adjoining | or near the propos | sed action: | | | | |
| □ Urban Rural (non-agriculture) | Industrial | Commercia | l Residential (sub | urban) | | |
| Forest AgricultureParkland | Aquatic | Other(Spec | ify): | | | |

| 5. Is the proposed action, | NO | YES | N/A |
|---|------------|-----|-----|
| a. A permitted use under the zoning regulations? | | | |
| b. Consistent with the adopted comprehensive plan? | | | |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape | <u>-</u> 2 | NO | YES |
| o. Is the proposed action consistent with the predominant character of the existing built of natural landscape | | | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? | | NO | YES |
| If Yes, identify: | | | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | | NO | YES |
| b. Are public transportation services available at or near the site of the proposed action? | | | |
| | | | |
| c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | | | |
| 9. Does the proposed action meet or exceed the state energy code requirements? | | NO | YES |
| If the proposed action will exceed requirements, describe design features and technologies: | | | |
| 10. Will the proposed action connect to an existing public/private water supply? | | NO | YES |
| If No, describe method for providing potable water: | | | |
| 11. Will the proposed action connect to existing wastewater utilities? | | NO | YES |
| If No, describe method for providing wastewater treatment: | | | |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or distr | ict | NO | YES |
| which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? | ne | | |
| b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | | | |
| 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 |
| 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: | | | |
| | | | |

| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: | | |
|---|--------|-----|
| □Shoreline □ Forest Agricultural/grasslands Early mid-successional | | |
| Wetland 🗆 Urban Suburban | | |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or | NO | YES |
| Federal government as threatened or endangered? | | |
| 16. Is the project site located in the 100-year flood plan? | NO | YES |
| | | |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? | NO | YES |
| If Yes, | | |
| a. Will storm water discharges flow to adjacent properties? | | |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: | | |
| | | |
| | | |
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water | NO | YES |
| or other liquids (e.g., retention pond, waste lagoon, dam)? | | |
| If Yes, explain the purpose and size of the impoundment: | | |
| | | |
| 49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste | NO | YES |
| management facility? If Yes, describe: | | |
| | | |
| | | |
| 20.Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? | NO | YES |
| If Yes, describe: | | |
| | | |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BI | EST OF | |
| MY KNOWLEDGE | | |
| Applicant/sponsor/name: Date: | | |
| Signature:Title: | | |
| | | |

Soil Erosion and Sedimentation Pollution Control Plan for a Timber Harvesting Operation

| 1. GENERAL INFORMATION | | | DATE | DATE | | |
|------------------------|--------------|-----|----------------------|------------|--|--|
| A. Location | Municipality | | County | | | |
| B. Timber sales | area = acres | | | | | |
| C. Landowner _ | | | () | () | | |
| N | ame | | Home phone | Work phone | | |
| Street address | | | | | | |
| City | State | Zip | Signature of landown | er | | |

D. Person(s) responsible for construction and maintenance of earthmoving operations and erosion and sedimentation pollution controls. (NOTE: If duties are assigned to more than one party, list all others under section 8 of this plan.)

| Name | | Signature of person responsible | | |
|--|---------------------------|---------------------------------|------------------|--|
| Street address | City | State | Zip | |
| E. Erosion and sedimentation pollution | on control plan preparer: | () Home phone | () Work phone | |
| Name | | Signature of plan pre | parer | |
| Street address | City | State | Zip | |

2. MAP

Required site specific map with site location, site boundaries, topographic features, north arrow and legend is attached to this plan. The map includes location of all earth disturbance activities (roads, landings and sediment control measures and facilities). A section of a US Geological Survey topographic map showing the location of the operation boundaries shall be attached when a line drawing is used. The location of all crossings of waters will be marked on the topographic map. Each crossing location must include the type of DEP water obstruction and encroachment permit that will be secured. Measures detailed in items 6 and 7 of this plan need not be shown on the map.

3. SOILS

Soils information is available in soil survey reports, published by the USDA Natural Resource Conservation Service and others. These reports are available for review at the county conservation district offices. To determine areas with the best drainage for the placement of haul roads and log landings, and to determine proper retirement treatments, the soils drainage classes must be examined. Soil classification and descriptions are listed below for all disturbed areas.

| | | | acteristics ¹ that apply eck as appropriate): | to earthmoving |
|-------------|-------------|-----------|---|-----------------------------|
| | | Erosion h | | Seasonably wet ³ |
| Map Symbols | Soil series | Slight | Moderate | Severe |
| | | □ | | |

4. SCHEDULING

Site work and/or harvesting is expected to begin _______, 20_____, and end by _______, 20_____. Sedimentation control measures and facilities as contained in this plan will be installed as road building or harvesting operations progress on the sale or units of the sale and will be maintained until permanent site stabilization is achieved.

| 5. ESTIMATED | | Y EART | | - Calculate | e only if the total project area exceeds 100 acres. |
|--------------|---------------------------------------|----------|--------------------|-------------|---|
| | Total length (ft) | x | Average width (ft) | = | Area (sq ft) |
| Haul roads | · · · · · · · · · · · · · · · · · · · | x | | = | |
| Skid roads | | <u>x</u> | | = | |
| Landings | | <u>x</u> | | = | |
| | Total area = | ÷، | 43,560 sq ft/A = | | acres disturbed by earthmoving activities. |

If total area of earthmoving activities exceeds 25 acres, and Earth Disturbance Permit must be obtained.

Has an application been made for required stream crossing permits? Yes 🗌 No 💭 Not applicable 🗌

At all stream crossing locations, runoff must be directed to a sediment removal area, i.e. filter strip, straw bale, silt fence, sump, and a trap for treatment. Water bars and/or broad based dips should be installed and maintained as required on the approaches to the stream crossing.

6. EROSION AND SEDIMENT POLLUTION CONTROL MEASURES AND FACILITIES

Cross-drain culverts on temporary and permanent road systems are planned to be spaced as indicated below. The Department recommends the use of 15-inch diameter corrugated metal pipes for both temporary and permanent access roads. The minimum size pipe allowed is 12-inches. For full consideration of sizing pipes to meet site conditions for temporary and permanent road systems, refer to Table 3.2a and 3.2b in the Timber Harvesters' E&SPC Manual.

A. Cross-drain culvert spacing.

| Road grade (% slope) | Culvert Spacing (feet) | Planning spacing [*] (feet) |
|-------------------------|---------------------------|---|
| 2 | 500 | |
| 3 | 400 | |
| 4 | 350 | |
| 5-6 | 300 | |
| 7-8 | 250 | |
| 9-11 | 200 | |
| 12-13 | 150 | |
| 14+ | 100 | |

B. Broad-based dips on the road system are planned to be spaced as indicated below.

| Road grade <u>(% slope)</u> | Culvert Spacing (feet) | Planning spacing [*] (feet) |
|--------------------------------|---------------------------|---|
| 2 | 300 | |
| 3 | 250 | |
| 4 | 200 | |
| 5 | 180 | |
| 6 | 170 | |
| 7 | 160 | |
| 8 | 150 | |
| 9-10 | 140 | |

If longer spacings are used, please make sure reasons for their use are explained in Section 8.

C. Filter strip widths by slope of land between roads and perennial streams

| Slope of land between road and stream (%) | Minimum widths of filter strip (feet) + |
|---|--|
| 0 | 25+ |
| 10 | 45+ |
| 20 | 65 |
| 30 | 85 |
| 40 | 105 |
| 50 | 125 |
| 60 | 145 |
| 70 | 165 |

+Widths should be doubled when the harvesting activity is located on municipal water supplies.

Are additional measures such as silt fence, ditches, etc. required to control Erosion and Sedimentation Pollution from the landings or haul roads?

Yes 🗌 No 🔲 If YES, describe them in Section 8 or on the map and provide references for the control measures or design details.

D. Water bar spacing

| Road grade <u>(% slope)</u> | Spacing (feet) | Planning spacing [*] (feet) |
|--------------------------------|-------------------|---|
| 2 | 250 | |
| 5 | 135 | |
| 10 | 80 | |
| 15 | 60 | |
| 20 | 45 | |
| 25 | 40 | |
| 30 | 35 | |
| 40 | 30 | |

If longer spacings are used, please make sure reasons for their use are explained in Section 8.

E. Disturbed Area stabilization (check as appropriate)

| | Seeding⁴'⁵ | Natural vegetation ⁴ |
|---|------------|---------------------------------|
| Log landing ⁶ | | |
| Haul roads⁵ | | |
| Skid roads⁵ | | |
| Seed mix and seeding rate to be used on critical areas: | | |

7. MAINTENANCE

To assure that the erosion and sediment control facilities are operational at all times, these facilities must be inspected, maintained and repaired on a regular schedule such as weekly and after rainfall events by the person identified under item 1.D. Repairs shall be made, obstructions removed, side ditches re-established and ruts removed from the road surface. Specific maintenance requirements are detailed in Section 8.

8. ADDITIONAL EXPLANATION OF PLAN CONTENT

- a) Trees, tops and logs resulting from the harvesting activity shall be removed from stream channels.
- b) If the operation is suspended for 20 or more days, interim stabilization practices such as water-bars, mulch, temporary seeding etc., shall be used to control erosion and sedimentation.
- c) Design calculations and sufficient details for sediment control measures and facilities not meeting the criteria in "Controlling Erosion and Sedimentation from Timber Harvesting Operations" (PSU & DEP) are included with this plan.

¹Soils with a moderate or severe erosion hazard or seasonably wet are poor choices for log landing and road locations and if possible, alternatives should be considered.

²The degree or ease by which soil particles can be detached from the soil surface. Moderate or severe ratings require additional consideration of soil erosion control measures during logging and road construction.

³Somewhat poorly drained soils remain wet for a longer period after rain and would be susceptible to disturbance. These soils may be hydric, indicating a possible wetland. They may have to be logged during dry seasons, when the profile may be relatively dry, or when the soils are frozen. They are poor choices for log landing and road locations and if possible, alternate areas should be considered.

⁴Areas to be seeded may require fertilization and liming. Soil testing will provide individualized recommendations for given sites. Recommendations of 300 lbs. of 10-10-10 fertilizer per acre and 2,000 lbs. of lime per acre should be considered to ensure 70% vegetative cover. Also seeded areas will be more successful if mulched with a minimum of 2.5 tons of straw or hay per acre. Describe in Section 8 if used.

⁵Stabilization of disturbed areas is important. If natural re-vegetation is selected, disturbed areas shall be protected with such measures as straw bale barriers, filter fences, mulch, or filter strips, as well as water bars and other water control structures until natural vegetation grows to stabilize the site. Critical areas such as: approaches to stream crossings, lands, and highly erodible soils require seeding of permanent or temporary cover to ensure that erosion does not occur.

⁶Indicates treatments for individual landing, haul roads or sections, and skid roads identified on the map.