

COLLIER TOWNSHIP
TIMBER HARVEST PERMIT APPLICATION

FEES: App fee: \$50 Escrow \$250. Two separate checks
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A narrative containing the following information is required:

1. Name, address, phone of all landowners whose property is to be harvested:
2. Property ID No.
3. Purpose of proposed operation
4. Total land area involved (not to exceed ten acres per permit)
5. Reforestation narrative outlining the revegetation of the landing area, skid trails and harvest area
6. A chart indicating the quantity of trees and the ranges (DBH) and species of the trees selected for harvesting.
7. Stormwater control measures to be used.
8. Stream crossing and wetland protection measures to be used.
9. A statement confirming that each tree to be removed has been designated by the consulting or state forester with paint or other distinctive means at two points so as to be readily visible by the logger. One point shall be low enough on the tree as to be visible on the stump after the tree is removed.
10. The name, address and telephone number of the logging operator to be used, a copy of the logging operator contract and such information about the identity and experience and background of the operator as the Township may require.
11. A legibly drawn site plan containing the following information and drawn to the following specifications:
 - (1) Be drawn to a scale not to exceed one inch equals 100 feet.
 - (2) Be drawn on a sheet size not to exceed 30 inches by 40 inches. A copy of the site plan shall also be provided in digital format (.pdf format on CD).
 - (3) Be prepared in accordance with standard architectural and engineering practices.
 - (4) Be sealed by engineer(s) and/or surveyor(s) of record.
 - (5) The name(s) and address(es) of the landowner and adjacent property owners.
 - (6) Contain a vicinity map, which shows the property(ies) proposed for timber harvesting as shown on a current Township map. The vicinity map shall identify all adjacent properties and the name of property owners surrounding the proposed timber harvesting operation.
 - (7) The boundary of the site to be timber-harvested as indicated by a heavy line with length of course in feet.
 - (8) The location and names of streets and roads adjacent to the proposed timber harvesting operation.
 - (9) Utility rights-of-way and/or easements.
 - (10) Existing watercourses, floodplains, woodlands and wetlands.
 - (11) The required fifty-foot buffer along any harvesting area, landing area, public road, and adjacent property.
 - (12) Topography of the property, including all slopes of 25% or greater and slide-prone soil areas.
 - (13) Earth disturbance locations, including skid trails and landing areas.
12. A narrative, including a copy of all commonwealth permits, indicating that the logging operator shall address and comply with the requirements of this chapter and of all

applicable commonwealth laws and regulations, including, but not limited to, the following:

- (1) Erosion and sedimentation control regulations, 25 Pa. Code Chapter 102, promulgated pursuant to the Clean Streams Law;
- (2) Stream crossings and wetland protection regulations issued pursuant to the Storm Water Management Act;
- (3) Stormwater management plans and regulations issued pursuant to the Storm Water Management Act and applicable Township stormwater regulations.
- (4) Such narrative will contain the signature of the logging operator as to each ten-acre area for which a permit is applied.

§ 27-2112 **Timber Harvesting Controls.**

[Ord. 687, 8/12/2015]

2112.1.

Purpose. It is the intent and purpose of these controls to preserve forests and woodlands and protect public and private property while allowing a reasonable degree of appropriate forestry activity on property in all zoning districts.

2112.2.

Applicability.

A. When a property owner wishes to conduct or permit to be conducted a timber harvesting operation on his property, such owner shall obtain a timber harvesting permit from the Township.

B. A timber harvesting permit shall not be required for the following:

(1) Timber harvesting in connection with work performed on ground to be covered by structures, pavement or other improvements noted on a subdivision or land development plan approved by the Township Board of Commissioners, where such work is to be commenced within 30 days of the harvesting and all permits for such work have been issued.

(2) Timber harvesting on lots less than two acres in size, provided that no timber harvesting has occurred within five years on any contiguous lot without a permit.

C. Even though a permit is not required for the activities described in § 27-1212.2B., such activities must still be performed in compliance with the substantive requirements of § 27-2112.4C through R and in § **27-2112.5.**

D. The Township shall be notified in writing before any timber harvesting operation begins so that the Township may determine if other Township permits or approvals are required for the particular operation. The Township shall be notified at the following times:

(1) Fifteen business days prior to starting the operation.

(2) Five business days prior to terminating the operation.

2112.3.

Submission Requirements for Permit Application. A timber harvesting application shall be filed with the Township and shall contain the following:

A. A narrative containing the following information:

(1) The name and address of all landowners.

(2) Purpose of the proposed operation.

(3) Total land area involved in the proposed timber harvesting operation, not to exceed 10 acres per permit.

(4) Total number of trees selected for harvesting.

(5) Reforestation narrative outlining the revegetation of the landing area, skid trails, and harvest area.

(6) A chart indicating the quantity of trees and the ranges (DBH) and species of the trees selected for harvesting.

(7) Stormwater control measures to be used.

(8) Stream crossings and wetland protection measures to be used.

(9) A statement confirming that each tree to be removed has been designated by the consulting or state forester with paint or other distinctive means at two points so as to be readily visible by the logger. One point shall be low enough on the tree so as to be visible on the stump after the tree is removed.

(10) The name, address and telephone number of the logging operator to be used, a copy of the logging operator contract and such information about the identity and experience and background of the operator as the Township may require.

B. A legibly drawn site plan containing the following information and drawn to the following specifications:

(1) Be drawn to a scale not to exceed one inch equals 100 feet.

(2) Be drawn on a sheet size not to exceed 30 inches by 40 inches. A copy of the site plan shall also be provided in digital format (.pdf format on CD).

(3) Be prepared in accordance with standard architectural and engineering practices.

(4) Be sealed by engineer(s) and/or surveyor(s) of record.

(5) The name(s) and address(es) of the landowner and adjacent property owners.

(6) Contain a vicinity map, which shows the property(ies) proposed for timber harvesting as shown on a current Township map. The vicinity map shall identify all adjacent properties and the name of property owners surrounding the proposed timber harvesting operation.

(7) The boundary of the site to be timber-harvested as indicated by a heavy line with length of course in feet.

(8) The location and names of streets and roads adjacent to the proposed timber harvesting operation.

(9) Utility rights-of-way and/or easements.

(10) Existing watercourses, floodplains, woodlands and wetlands.

(11) The required fifty-foot buffer along any harvesting area, landing area, public road, and adjacent property.

(12) Topography of the property, including all slopes of 25% or greater and slide-prone soil areas.

(13) Earth disturbance locations, including skid trails and landing areas.

C. A narrative, including a copy of all commonwealth permits, indicating that the logging operator shall address and comply with the requirements of this chapter and of all applicable commonwealth laws and regulations, including, but not limited to, the following:

(1) Erosion and sedimentation control regulations, 25 Pa. Code Chapter 102, promulgated pursuant to the Clean Streams Law;

(2) Stream crossings and wetland protection regulations issued pursuant to the Storm Water Management Act;

(3) Stormwater management plans and regulations issued pursuant to the Storm Water Management Act and applicable Township stormwater regulations.

(4) Such narrative will contain the signature of the logging operator as to each ten-acre area for which a permit is applied.

D. Payment of the application fee in an amount to be set from time to time by resolution of the Board of Commissioners and the agreement of all applicants to reimburse the Township for the fees it incurs in using the Township Engineer, Township Solicitor, forester or consulting forester or other professional consultant in review of the application.

2112.4.

Timber Harvesting Operation Regulations. Any timber harvesting operation shall meet the following requirements:

A. At least 30% of the forest cover (canopy) shall be preserved, and the residual trees shall be well distributed. At least 30% of these residual trees shall be composed of higher-value species as determined by a consulting or state forester.

B. Trees selected for harvesting shall be marked at two distinctive locations thereon. The higher of the two marks shall be provided around the entire circumference of the tree. The lower mark must be visible on the stump after the tree is removed.

C. A fifty-foot buffer zone, within which no timber harvesting shall occur, shall be required between the boundary of any timber harvesting area or landing area and any public street, road or the boundary of any adjoining property.

D. Timber harvesting is prohibited on areas with slopes greater than 25%.

E. Timber harvesting is prohibited within a floodway or floodplain.

F. As directed by the Township, a soils engineer registered to practice in the Commonwealth of Pennsylvania shall monitor and report to the Township, to the extent determined by the Township Engineer to be advisable given the land in question, all forest activities occurring on or affecting landslide-prone soils, as classified in the latest available edition of the Soil Survey of Allegheny County (USDA — Soil Conservation Service), and/or areas with a slope equal to or greater than 12%.

G. No timber harvesting operation or removal of products shall take place between the hours of 7:00 p.m. and 8:00 a.m. or any time on Sundays or legal holidays.

H. Trees falling on adjacent properties as a result of a timber harvesting operation shall be returned immediately to the landowner's property, who shall be responsible for any damage, cost or restoration to the affected adjacent property.

I. Falling or skidding on or across any public road or right-of-way is prohibited without the express written consent of the Township, the Allegheny County Department of Public Works, or the Pennsylvania Department of Transportation, whichever is responsible for maintenance of such public road or right-of-way.

J. Waste material shall be removed to a point out of sight of any public road or adjacent property. No tops or slash shall be left within 50 feet of any public road, street, adjacent property, or private roadway providing access to adjoining residential property.

K. No tops or slash shall be left on or across the boundary of any property adjoining the timber harvesting operation without the written consent of the owner thereof.

L. No tops or slash shall be left in a floodway or floodplain.

M. The Township shall have the authority to order the suspension of any timber harvesting operation if, in the Township's opinion, conditions created by the spring thaw, adverse weather, or any other cause make soil erosion likely.

N. Any timber harvesting operation in existence at the time of enactment of this Part may continue without interruption, provided that application is made within 30 days of said enactment for a timber harvesting permit under the provisions of this Part and that such permit is granted.

O. The maximum term of any permit issued pursuant to this Part shall be four months.

However, because the timber harvesting operation may be adversely affected or delayed by unusual circumstances of weather or other occurrences, one additional four-month extension, after payment of a renewal fee equal to the initial permit fee, may be granted by the Township.

P. The Township may require that, prior to completion of the timber harvesting operation, a written report be filed by the consulting or state forester indicating what measures should be taken in order to properly restore the property.

Q. Upon completion of the timber harvesting operation, all disturbed areas, including, but not limited to, the landing area(s) and skid trails, shall be revegetated pursuant to the erosion and sedimentation control plans and the stormwater management plans as approved by the Commonwealth of Pennsylvania's Department of Environmental Protection and/or the Township.

R. A timber harvesting operation shall not include any on-site processing of harvested trees or manufacturing, except as permitted by this chapter.

S. Prior to commencement of timber harvesting, the applicant shall post bond in form acceptable to the Township Solicitor and in an amount as determined by the Township Engineer

to be sufficient to guarantee restoration of disturbed areas as required herein. Substitute security may be permitted if in form acceptable to the Township Solicitor.

2112.5.

Road Maintenance. All persons conducting timber harvesting or logging, as defined herein, shall meet the following road maintenance requirements:

A. Prior to hauling on any Township road, the applicant shall post bond in an amount to be determined by the Township Engineer, and in form acceptable to the Township Solicitor, to guarantee restoration of any road damages by hauling.

B. The Township shall have the authority to suspend any timber harvesting operation should the Township determine that conditions of the timber harvesting operation will cause or make likely damage to a Township-maintained road.

C. The repair of roads, bridges and culverts damaged as a result of the timber harvesting operation shall be repaired to the satisfaction of the Township.

D. The permittee, logging operator, or a designated representative shall not create a new access or use an existing access onto a county- or state-maintained road without first showing proof that the access is permitted by the Allegheny County Department of Public Works or the Commonwealth of Pennsylvania's Department of Transportation.

E. The permittee, logging operator, or a designated representative shall not create a new access or use an existing access onto a Township-maintained road without first obtaining permission from the Township for using said access.

F. Any disturbance along a Township-maintained street or road to create a new or improve upon an existing access shall be reconstructed back to its original condition as it was prior to the commencement of the timber harvesting.

2112.6.

Waivers and Enforcement.

A. The Township Zoning Officer, in his reasonable discretion and upon the written recommendation of the Township Engineer, shall have the right to waive any technical or substantive requirement of this Part if the requirement is determined to be unnecessary to achieve the environmental preservation purposes of this chapter, if the waiver results in no additional threat of erosion, landslide, stream pollution or degradation or adverse impact on adjacent properties and if the requirement imposes unnecessary hardship. The Township Zoning Officer, in his reasonable discretion and upon the written recommendation of the Township Engineer, shall also have the right to add any additional conditions, at the time of permit issuance or as work under an issued permit proceeds, including additional bonding or other financial security for the actual restoration of damaged roads, deemed necessary to protect the health, welfare and safety of the residents of the Township.

B. The Township Zoning Officer or his/her designee shall be the enforcement officer for this Part and shall issue or deny permits hereunder.

C. The Township Zoning Officer or his/her designee may enter the site of any timber harvesting operation before, during, or after active logging to:

(1) Review the timber harvesting plan or any other required documents for compliance with this Part; and

(2) Inspect the operation for compliance with the timber harvesting plan and other on-site requirements of this Part.

2112.7.

Violations and Penalties.

A. Upon finding that a timber harvesting operation is in violation of any provision of this Part, the Township shall issue the logging operator and the landowner a written notice of violation in accordance with the provisions of this chapter regarding enforcement notices, describing each violation and specifying a date by which corrective action must be taken.

B. The Township may order the immediate suspension of any timber harvesting operation and may institute any appropriate action to prevent, restrain, correct or abate the violation of this Part upon finding that:

(1) Corrective action has not been taken by the date specified in a notice of violation;

(2) The operation is proceeding without a timber harvesting plan; or

(3) The operation is causing an immediate environmental risk.

C. Suspension orders shall be in writing, shall be issued to the logging operator and the landowner and shall remain in effect until the timber harvesting operation is brought into compliance with this Part or other applicable statutes or regulations.

D. Penalties. Penalties for any violation of this Part shall be enforced in accordance with Part **26** of this chapter.

2112.8.

Definitions. The following terms are defined as follows for the purposes of this § **27-2112**:

CONSULTING FORESTER OR STATE FORESTER

A person employed as a forester by the Commonwealth of Pennsylvania's Department of Conservation and Natural Resources, Bureau of Forestry, or a person listed on said Bureau of Forestry's Register of Consulting Foresters as being a graduate of a forestry school accredited by the Society of American Foresters and employed full-time as a private forestry consultant.

FORESTRY

The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

HARVEST AREA

The location on the site where timber harvesting occurs.

LANDING AREA

A designated location on land where the harvested timber, including logs, pulpwood, or firewood, is assembled for transportation off site to processing facilities.

PERMITTEE

Any property owner, or individual, partnership, company, firm, association, or corporation representing a property owner, to whom a timber harvesting permit is issued.

SKIDDING

The process of dragging trees on the ground, by any means necessary, from the harvest area to the landing area.

SKID TRAIL

The trail, path, temporary roadway, or any other unencumbered route, utilized by the timber harvesting operator to move felled trees from the harvest area to the landing area.

SLASH

The woody debris left on the land after timber harvesting, including logs, chunks, bark, branches, uprooted stumps, and broken or uprooted trees or shrubs.

TIMBER HARVESTING/LOGGING OPERATOR

Any individual, partnership, company, firm, association or corporation engaged in timber harvesting, including agents, subcontractors, and employees thereof.

TIMBER HARVESTING OR LOGGING

The cutting down and removal of trees and logs to be converted to any forest product or for sale to others or for other purposes. Timber harvesting shall not include the removal of dead or diseased trees or a homeowner cutting on his own property for his own use.

TOP

The upper portions of a felled tree that are unmarketable because of small size, taper or defect.